

Calendar No. 157

107TH CONGRESS
1ST SESSION**S. 1418**

To authorize appropriations for fiscal year 2002 for military construction,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 12, 2001

Mr. LEVIN, from the Committee on Armed Services, reported the following
original bill; which was read twice and placed on the calendar

A BILL

To authorize appropriations for fiscal year 2002 for military
construction, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Military Construction
5 Authorization Act for Fiscal Year 2002”.

1 **SEC. 2. TABLE OF CONTENTS.**

2 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Congressional defense committees defined.

TITLE XXI—ARMY

- Sec. 2101. Authorized Army construction and land acquisition projects.
- Sec. 2102. Family housing.
- Sec. 2103. Improvements to military family housing units.
- Sec. 2104. Authorization of appropriations, Army.
- Sec. 2105. Modification of authority to carry out certain fiscal year 2001 projects.

TITLE XXII—NAVY

- Sec. 2201. Authorized Navy construction and land acquisition projects.
- Sec. 2202. Family housing.
- Sec. 2203. Improvements to military family housing units.
- Sec. 2204. Authorization of appropriations, Navy.
- Sec. 2205. Modification of authority to carry out certain fiscal year 2001 projects.
- Sec. 2206. Modification of authority to carry out fiscal year 2000 project.

TITLE XXIII—AIR FORCE

- Sec. 2301. Authorized Air Force construction and land acquisition projects.
- Sec. 2302. Family housing.
- Sec. 2303. Improvements to military family housing units.
- Sec. 2304. Authorization of appropriations, Air Force.
- Sec. 2305. Modification of authority to carry out certain fiscal year 2001 project.

TITLE XXIV—DEFENSE AGENCIES

- Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
- Sec. 2402. Energy conservation projects.
- Sec. 2403. Authorization of appropriations, Defense Agencies.
- Sec. 2404. Cancellation of authority to carry out certain fiscal year 2001 projects.
- Sec. 2405. Cancellation of authority to carry out additional fiscal year 2001 project.
- Sec. 2406. Modification of authority to carry out certain fiscal year 2000 projects.
- Sec. 2407. Modification of authority to carry out certain fiscal year 1999 project.
- Sec. 2408. Modification of authority to carry out certain fiscal year 1995 project.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

- Sec. 2501. Authorized NATO construction and land acquisition projects.

Sec. 2502. Authorization of appropriations, NATO.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Sec. 2601. Authorized Guard and Reserve construction and land acquisition projects.

TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS

Sec. 2701. Expiration of authorizations and amounts required to be specified by law.

Sec. 2702. Extension of authorizations of certain fiscal year 1999 projects.

Sec. 2703. Extension of authorizations of certain fiscal year 1998 projects.

Sec. 2704. Effective date.

TITLE XXVIII—GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

Sec. 2801. Increase in thresholds for certain unspecified minor military construction projects.

Sec. 2802. Unforeseen environmental hazard remediation as basis for authorized cost variations for military construction and family housing construction projects.

Sec. 2803. Repeal of requirement for annual reports to Congress on military construction and military family housing activities.

Sec. 2804. Authority available for lease of property and facilities under alternative authority for acquisition and improvement of military housing.

Sec. 2805. Funds for housing allowances of members assigned to military family housing under alternative authority for acquisition and improvement of military housing.

Subtitle B—Real Property and Facilities Administration

Sec. 2811. Availability of proceeds of sales of Department of Defense property from closed military installations.

Sec. 2812. Pilot efficient facilities initiative.

Sec. 2813. Demonstration program on reduction in long-term facility maintenance costs.

Subtitle C—Land Conveyances

Sec. 2821. Land conveyance, Engineer Proving Ground, Fort Belvoir, Virginia.

Sec. 2822. Modification of authority for conveyance of Naval Computer and Telecommunications Station, Cutler, Maine.

Sec. 2823. Land transfer and conveyance, Naval Security Group Activity, Winter Harbor, Maine.

Sec. 2824. Conveyance of segment of Loring Petroleum Pipeline, Maine, and related easements.

Sec. 2825. Land conveyance, petroleum terminal serving former Loring Air Force Base and Bangor Air National Guard Base, Maine.

Sec. 2826. Land conveyance, Naval Weapons Industrial Reserve Plant, Toledo, Ohio.

Subtitle D—Other Matters

- Sec. 2841. Development of United States Army Heritage and Education Center at Carlisle Barracks, Pennsylvania.
- Sec. 2842. Limitation on availability of funds for renovation of the Pentagon Reservation.
- Sec. 2843. Naming of Patricia C. Lamar Army National Guard Readiness Center, Oxford, Mississippi.

TITLE XXIX—DEFENSE BASE CLOSURE AND REALIGNMENT

Subtitle A—Modifications of 1990 Base Closure Law

- Sec. 2901. Authority to carry out base closure round in 2003.
- Sec. 2902. Base Closure Account 2003.
- Sec. 2903. Additional modifications of base closure authorities.
- Sec. 2904. Technical and clarifying amendments.

Subtitle B—Modification of 1988 Base Closure Law

- Sec. 2911. Payment for certain services provided by redevelopment authorities for property leased back by the United States.

1 SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.

2 For purposes of this Act, the term “congressional de-
3 fense committees” means—

- 4 (1) the Committee on Armed Services and the
5 Committee on Appropriations of the Senate; and
6 (2) the Committee on Armed Services and the
7 Committee on Appropriations of the House of Rep-
8 resentatives.

9 DIVISION B—MILITARY CON- 10 STRUCTION AUTHORIZA- 11 TIONS

12 SEC. 2001. SHORT TITLE.

13 This division may be cited as the “Military Construc-
14 tion Authorization Act for Fiscal Year 2002”.

TITLE XXI—ARMY

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(1), the Secretary of the Army may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

| State | Installation or location | Amount |
|----------------------------|---|---------------|
| Alabama | Anniston Army Depot | \$5,150,000 |
| | Fort Rucker | \$11,400,000 |
| | Redstone Arsenal | \$7,200,000 |
| Alaska | Fort Richardson | \$115,000,000 |
| | Fort Wainwright | \$27,200,000 |
| Arizona | Fort Huachuca | \$6,100,000 |
| Colorado | Fort Carson | \$66,000,000 |
| District of Columbia | Fort McNair | \$11,600,000 |
| Georgia | Fort Benning | \$23,900,000 |
| | Fort Gillem | \$34,600,000 |
| | Fort Gordon | \$34,000,000 |
| | Fort Stewart/Hunter Army Air Field. | \$39,800,000 |
| Hawaii | Navy Public Works Center, Pearl Harbor. | \$11,800,000 |
| | Pohakuloa Training Facility | \$6,600,000 |
| | Wheeler Army Air Field | \$50,000,000 |
| Illinois | Rock Island Arsenal | \$3,500,000 |
| Kansas | Fort Riley | \$10,900,000 |
| Kentucky | Fort Campbell | \$88,900,000 |
| | Fort Knox | \$11,600,000 |
| Louisiana | Fort Polk | \$21,200,000 |
| Maryland | Aberdeen Proving Ground | \$58,300,000 |
| | Fort Meade | \$5,800,000 |
| Missouri | Fort Leonard Wood | \$7,850,000 |
| New Jersey | Fort Monmouth | \$20,000,000 |
| New Mexico | White Sands Missile Range | \$7,600,000 |
| New York | Fort Drum | \$37,850,000 |
| North Carolina | Fort Bragg | \$21,300,000 |
| | Sunny Point Military Ocean Terminal. | \$11,400,000 |
| Oklahoma | Fort Sill | \$18,600,000 |
| South Carolina | Fort Jackson | \$62,000,000 |
| Texas | Fort Hood | \$86,200,000 |
| | Fort Sam Houston | \$2,250,000 |
| Virginia | Fort Belvoir | \$35,950,000 |
| | Fort Eustis | \$34,650,000 |

Army: Inside the United States—Continued

| State | Installation or location | Amount |
|------------------|--------------------------|-----------------|
| Washington | Fort Lee | \$23,900,000 |
| | Fort Lewis | \$238,200,000 |
| | Total: | \$1,258,000,000 |

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2104(a)(2), the Secretary of the Army
4 may acquire real property and carry out military construc-
5 tion projects for the locations outside the United States,
6 and in the amounts, set forth in the following table:

Army: Outside the United States

| Country | Installation or location | Amount |
|-----------------|------------------------------------|---------------|
| Germany | Area Support Group, Bamberg | \$36,000,000 |
| | Area Support Group, Darmstadt | \$13,500,000 |
| | Baumholder | \$9,000,000 |
| | Hanau | \$7,200,000 |
| | Heidelberg | \$15,300,000 |
| | Mannheim | \$16,000,000 |
| | Wiesbaden Air Base | \$26,300,000 |
| Korea | Camp Carroll | \$16,593,000 |
| | Camp Casey | \$8,500,000 |
| | Camp Hovey | \$35,750,000 |
| | Camp Humphreys | \$14,500,000 |
| | Camp Jackson | \$6,100,000 |
| | Camp Stanley | \$28,000,000 |
| Kwajalein | Kwajalein Atoll | \$11,000,000 |
| | Total: | \$243,743,000 |

7 (c) UNSPECIFIED WORLDWIDE.—Using amounts ap-
8 propriated pursuant to the authorization of appropriations
9 in section 2104(a)(3), the Secretary of the Army may ac-
10 quire real property and carry out military construction
11 projects for the installation and location, and in the
12 amount, set forth in the following table:

Army: Unspecified Worldwide

| Location | Installation | Amount |
|-----------------------------|---------------------------|---------------|
| Unspecified Worldwide | Classified Location | \$4,000,000 |

1 SEC. 2102. FAMILY HOUSING.

2 (a) CONSTRUCTION AND ACQUISITION.—Using
3 amounts appropriated pursuant to the authorization of ap-
4 propriations in section 2104(a)(6)(A), the Secretary of the
5 Army may construct or acquire family housing units (in-
6 cluding land acquisition) at the installations, for the pur-
7 poses, and in the amounts set forth in the following table:

Army: Family Housing

| State or county | Installation or loca- tion | Purpose | Amount |
|------------------------|---------------------------------------|----------------|---------------|
| Alaska | Fort Wainwright | 32 Units | \$12,000,000 |
| Arizona | Fort Huachuca | 72 Units | \$10,800,000 |
| Kansas | Fort Leavenworth | 40 Units | \$20,000,000 |
| Texas | Fort Bliss | 76 Units | \$13,600,000 |
| | Fort Sam Houston | 80 Units | \$11,200,000 |
| Korea | Camp Humphreys | 54 Units | \$12,800,000 |
| | Total: | | \$80,400,000 |

8 (b) PLANNING AND DESIGN.—Using amounts appro-
9 priated pursuant to the authorization of appropriations in
10 section 2104(a)(6)(A), the Secretary of the Army may
11 carry out architectural and engineering services and con-
12 struction design activities with respect to the construction
13 or improvement of family housing units in an amount not
14 to exceed \$12,702,000.

15 **SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
16 **UNITS.**

17 Subject to section 2825 of title 10, United States
18 Code, and using amounts appropriated pursuant to the

1 authorization of appropriations in section 2104(a)(6)(A),
2 the Secretary of the Army may improve existing military
3 family housing units in an amount not to exceed
4 \$220,750,000.

5 **SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

6 (a) IN GENERAL.—Funds are hereby authorized to
7 be appropriated for fiscal years beginning after September
8 30, 2001, for military construction, land acquisition, and
9 military family housing functions of the Department of the
10 Army in the total amount of \$3,068,303,000, as follows:

11 (1) For military construction projects inside the
12 United States authorized by section 2101(a),
13 \$1,027,300,000.

14 (2) For military construction projects outside
15 the United States authorized by section 2101(b),
16 \$243,743,000.

17 (3) For military construction projects at un-
18 specified worldwide locations authorized by section
19 2101(c), \$4,000,000.

20 (4) For unspecified minor construction projects
21 authorized by section 2805 of title 10, United States
22 Code, \$18,000,000.

23 (5) For architectural and engineering services
24 and construction design under section 2807 of title
25 10, United States Code, \$142,198,000.

1 (6) For military family housing functions:

2 (A) For construction and acquisition, plan-
3 ning and design, and improvement of military
4 family housing and facilities, \$313,852,000.

5 (B) For support of military family housing
6 (including the functions described in section
7 2833 of title 10, United States Code),
8 \$1,108,991,000.

9 (7) For the Homeowners Assistance Program,
10 as authorized by section 2832 of title 10, United
11 States Code, \$10,119,000, to remain available until
12 expended.

13 (8) For the construction of the Cadet Develop-
14 ment Center, United States Military Academy, West
15 Point, New York, authorized in section 2101(a) of
16 the Military Construction Authorization Act for Fis-
17 cal Year 1999 (division B of Public Law 105–261;
18 112 Stat. 2182), \$37,900,000.

19 (9) For the construction of a Barracks Com-
20 plex—Tagaytay Street Phase 2C, Fort Bragg, North
21 Carolina, authorized in section 2101(a) of the Mili-
22 tary Construction Authorization Act for Fiscal Year
23 2000 (division B of Public Law 106–65; 113 Stat.
24 824), \$17,500,000.

1 (10) For the construction of a Barracks Com-
2 plex—Wilson Street, Phase 1C, Schofield Barracks,
3 Hawaii, authorized in section 2101(a) of the Mili-
4 tary Construction Authorization Act for Fiscal Year
5 2000 (113 Stat. 824), \$23,000,000.

6 (11) For construction of a Basic Combat Train-
7 ing Complex Phase 2, Fort Leonard Wood, Missouri,
8 authorized in section 2101(a) of the Military Con-
9 struction Authorization Act for Fiscal Year 2001
10 (division B of the Floyd D. Spence National Defense
11 Authorization Act for Fiscal Year 2001 (as enacted
12 by Public Law 106–398); 114 Stat. 1654A–389),
13 \$27,000,000.

14 (12) For the construction of the Battle Simula-
15 tion Center Phase 2, Fort Drum, New York, author-
16 ized in section 2101(a) of the Military Construction
17 Authorization Act for Fiscal Year 2001 (114 Stat.
18 1654A–389), \$9,000,000.

19 (13) For the construction of a Barracks Com-
20 plex—Bunter Road Phase 2, Fort Bragg, North
21 Carolina, authorized in section 2101(a) of the Mili-
22 tary Construction Authorization Act for Fiscal Year
23 2001 (114 Stat. 1654A–389), \$49,000,000.

24 (14) For the construction of a Barracks Com-
25 plex—Longstreet Road Phase 2, Fort Bragg, North

1 Carolina, authorized in section 2101(a) of the Mili-
2 tary Construction Authorization Act for Fiscal Year
3 2001 (114 Stat. 1654A–389), \$27,000,000.

4 (15) For the construction of a Multipurpose
5 Digital Training Range, Fort Hood, Texas, author-
6 ized in section 2101(a) of the Military Construction
7 Authorization Act for Fiscal Year 2001 (114 Stat.
8 1654A–389), \$13,000,000.

9 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
10 PROJECTS.—Notwithstanding the cost variations author-
11 ized by section 2853 of title 10, United States Code, and
12 any other cost variation authorized by law, the total cost
13 of all projects carried out under section 2101 of this Act
14 may not exceed—

15 (1) the total amount authorized to be appro-
16 priated under paragraphs (1), (2), and (3) of sub-
17 section (a);

18 (2) \$52,000,000 (the balance of the amount au-
19 thorized under section 2101(a) for Barracks Com-
20 plex D Street Phase at Fort Richardson, Alaska);

21 (3) \$41,000,000 (the balance of the amount au-
22 thorized under section 2101(a) for Barracks Com-
23 plex—Nelson Boulevard (Phase I) at Fort Carson,
24 Colorado);

1 (4) \$36,000,000 (the balance of the amount au-
 2 thorized under section 2101(a) for Basic Combat
 3 Training Complex (Phase I) at Fort Jackson, South
 4 Carolina); and

5 (5) \$102,000,000 (the balance of the amount
 6 authorized under section 2101(a) for Barracks Com-
 7 plex—17th & B Street (Phase I) at Fort Lewis,
 8 Washington).

9 (c) ADJUSTMENT.—The total amount authorized to
 10 be appropriated pursuant to paragraphs (1) through (7)
 11 of subsection (a) is the sum of the amounts authorized
 12 to be appropriated in such paragraphs reduced by
 13 \$3,300,000, which represents savings resulting from ad-
 14 justments to foreign currency exchange rates for military
 15 family housing construction and military family housing
 16 support outside the United States.

17 **SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT**
 18 **CERTAIN FISCAL YEAR 2001 PROJECTS.**

19 (a) MODIFICATION.—The table in section 2101(a) of
 20 the Military Construction Authorization Act for Fiscal
 21 Year 2001 (division B of the Floyd D. Spence National
 22 Defense Authorization Act for Fiscal Year 2001 (as en-
 23 acted by Public Law 106–398); 114 Stat. 1654A–389) is
 24 amended—

1 (1) in the item relating to Fort Leonard Wood,
2 Missouri, by striking “\$65,400,000” in the amount
3 column and inserting “\$69,800,000”;

4 (2) in the item relating to Fort Drum, New
5 York, by striking “\$18,000,000” in the amount col-
6 umn and inserting “\$21,000,000”;

7 (3) in the item relating to Fort Hood, Texas,
8 by striking “\$36,492,000” in the amount column
9 and inserting “\$39,492,000”; and

10 (4) by striking the amount identified as the
11 total in the amount column and inserting
12 “\$626,374,000”.

13 (b) CONFORMING AMENDMENTS.—Section 2104 of
14 that Act (114 Stat. 1654A–391) is amended—

15 (1) in subsection (a), in the matter preceding
16 paragraph (1), by striking “\$1,925,344,000” and in-
17 serting “\$1,935,744,000”; and

18 (2) in subsection (b)—

19 (A) in paragraph (2), by striking
20 “\$22,600,000” and inserting “\$27,000,000”;

21 (B) in paragraph (3), by striking
22 “\$10,000,000” and inserting “\$13,000,000”;
23 and

24 (C) in paragraph (6), by striking
25 “\$6,000,000” and inserting “\$9,000,000”.

TITLE XXII—NAVY

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(1), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

| State | Installation or location | Amount |
|----------------------------|--|--------------|
| Arizona | Marine Corps Air Station, Yuma | \$22,570,000 |
| California | Marine Air-Ground Task Force Training Center, Twentynine Palms. | \$75,125,000 |
| | Marine Corps Air Station, Camp Pendleton. | \$4,470,000 |
| | Marine Corps Base, Camp Pendleton | \$96,490,000 |
| | Naval Air Facility, El Centro | \$23,520,000 |
| | Naval Air Station, Lemoore | \$10,010,000 |
| | Naval Air Warfare Center, Point Mugu, San Nicholas Island. | \$13,730,000 |
| | Naval Amphibious Base, Coronado | \$8,610,000 |
| | Naval Construction Battalion Center, Port Hueneme. | \$12,400,000 |
| | Naval Construction Training Center, Port Hueneme. | \$3,780,000 |
| | Naval Station, San Diego | \$47,240,000 |
| District of Columbia | Naval Air Facility, Washington | \$9,810,000 |
| Florida | Naval Air Station, Key West | \$11,400,000 |
| | Naval Air Station, Pensacola | \$3,700,000 |
| | Naval Air Station, Whiting Field, Milton | \$2,140,000 |
| | Naval Station, Mayport | \$16,420,000 |
| Hawaii | Marine Corps Base, Kaneohe | \$24,920,000 |
| | Naval Magazine, Lualualei | \$6,000,000 |
| | Naval Shipyard, Pearl Harbor | \$20,000,000 |
| | Naval Station, Pearl Harbor | \$54,700,000 |
| | Navy Public Works Center, Pearl Harbor. | \$16,900,000 |
| Illinois | Naval Training Center, Great Lakes | \$82,260,000 |
| Indiana | Naval Surface Warfare Center, Crane | \$5,820,000 |
| Maine | Naval Air Station, Brunswick | \$67,395,000 |
| | Naval Shipyard, Kittery-Portsmouth | \$14,620,000 |
| Maryland | Naval Air Warfare Center, Patuxent River. | \$2,260,000 |
| | Naval Explosive Ordinance Disposal Technology Center, Indian Head. | \$1,250,000 |
| Mississippi | Naval Construction Battalion Center, Gulfport. | \$21,660,000 |

Navy: Inside the United States—Continued

| State | Installation or location | Amount |
|----------------------|--|---------------|
| Missouri | Naval Air Station, Meridian | \$3,370,000 |
| | Naval Station, Pascagoula | \$4,680,000 |
| | Marine Corp Support Activity, Kansas City. | \$9,010,000 |
| Nevada | Naval Air Station, Fallon | \$6,150,000 |
| New Jersey | Naval Weapons Station, Earle | \$4,370,000 |
| North Carolina | Marine Corps Air Station, New River | \$4,050,000 |
| | Marine Corps Base, Camp LeJeune | \$67,070,000 |
| Rhode Island | Naval Station, Newport | \$15,290,000 |
| | Naval Undersea Warfare Center, Newport. | \$9,370,000 |
| South Carolina | Marine Corps Air Station, Beaufort | \$8,020,000 |
| | Marine Corps Recruit Depot, Parris Island. | \$5,430,000 |
| Tennessee | Naval Support Activity, Millington | \$3,900,000 |
| Texas | Naval Air Station, Kingsville | \$6,160,000 |
| Virginia | Marine Corps Air Facility, Quantico | \$3,790,000 |
| | Marine Corps Combat Development Command, Quantico. | \$9,390,000 |
| Washington | Naval Station, Norfolk | \$139,270,000 |
| | Naval Air Station, Whidbey Island | \$7,370,000 |
| | Naval Station, Everett | \$6,820,000 |
| | Strategic Weapons Facility, Bangor | \$3,900,000 |
| Total: | | \$996,610,000 |

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2204(a)(2), the Secretary of the Navy may
4 acquire real property and carry out military construction
5 projects for the locations outside the United States, and
6 in the amounts, set forth in the following table:

Navy: Outside the United States

| Country | Installation or location | Amount |
|----------------|---|---------------|
| Greece | Naval Support Activity Joint Headquarters Command, Larissa. | \$12,240,000 |
| | Naval Support Activity, Souda Bay | \$3,210,000 |
| Guam | Naval Station, Guam | \$9,300,000 |
| | Navy Public Works Center, Guam | \$14,800,000 |
| Iceland | Naval Air Station, Keflavik | \$2,820,000 |
| Italy | Naval Air Station, Sigonella | \$3,060,000 |
| Spain | Naval Station, Rota | \$2,240,000 |
| Total: | | \$47,670,000 |

1 **SEC. 2202. FAMILY HOUSING.**

2 (a) CONSTRUCTION AND ACQUISITION.—Using
 3 amounts appropriated pursuant to the authorization of ap-
 4 propriations in section 2204(a)(5)(A), the Secretary of the
 5 Navy may construct or acquire family housing units (in-
 6 cluding land acquisition) at the installations, for the pur-
 7 poses, and in the amounts set forth in the following table:

Navy: Family Housing

| State or country | Installation or loca- tion | Purpose | Amount |
|-------------------|--|-----------------|---------------|
| Arizona | Marine Corps Air Sta- tion, Yuma. | 51 Units | \$9,017,000 |
| California | Marine Air-Ground Task Force Training Center, Twentynine Palms. | 74 Units | \$16,250,000 |
| Hawaii | Marine Corps Base, Kaneohe. | 172 Units | \$55,187,000 |
| | Naval Station, Pearl Harbor. | 70 Units | \$16,827,000 |
| Mississippi | Naval Construction Battalion Center, Gulfport. | 160 Units | \$23,354,000 |
| Italy | Naval Air Station, Sigonella. | 10 Units | \$2,403,000 |
| | | Total: | \$123,038,000 |

8 (b) PLANNING AND DESIGN.—Using amounts appro-
 9 priated pursuant to the authorization of appropriations in
 10 section 2204(a)(5)(A), the Secretary of the Navy may
 11 carry out architectural and engineering services and con-
 12 struction design activities with respect to the construction
 13 or improvement of military family housing units in an
 14 amount not to exceed \$6,499,000.

1 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
2 **UNITS.**

3 Subject to section 2825 of title 10, United States
4 Code, and using amounts appropriated pursuant to the
5 authorization of appropriations in section 2204(a)(5)(A),
6 the Secretary of the Navy may improve existing military
7 family housing units in an amount not to exceed
8 \$183,054,000.

9 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

10 (a) IN GENERAL.—Funds are hereby authorized to
11 be appropriated for fiscal years beginning after September
12 30, 2001, for military construction, land acquisition, and
13 military family housing functions of the Department of the
14 Navy in the total amount of \$2,377,634,000, as follows:

15 (1) For military construction projects inside the
16 United States authorized by section 2201(a),
17 \$963,370,000.

18 (2) For military construction projects outside
19 the United States authorized by section 2201(b),
20 \$47,670,000.

21 (3) For unspecified minor construction projects
22 authorized by section 2805 of title 10, United States
23 Code, \$10,546,000.

24 (4) For architectural and engineering services
25 and construction design under section 2807 of title
26 10, United States Code, \$35,752,000.

1 (5) For military family housing functions:

2 (A) For construction and acquisition, plan-
3 ning and design, and improvement of military
4 family housing and facilities, \$312,591,000.

5 (B) For support of military family housing
6 (including functions described in section 2833
7 of title 10, United States Code), \$918,095,000.

8 (6) For replacement of a pier at Naval Station,
9 San Diego, California, authorized in section 2201(a)
10 of the Military Construction Authorization Act for
11 Fiscal Year 2001 (division B of the Floyd D. Spence
12 National Defense Authorization Act for Fiscal Year
13 2001 (as enacted by Public Law 106–398); 114
14 Stat. 1654A–395), \$17,500,000.

15 (7) For replacement of Pier Delta at Naval
16 Station, Bremerton, Washington, authorized in sec-
17 tion 2201(a) of the Military Construction Authoriza-
18 tion Act for Fiscal Year 2001, \$24,460,000.

19 (8) For construction of the Commander-in-
20 Chief Headquarters, Pacific Command, Camp
21 Smith, Hawaii, authorized in section 2201(a) of the
22 Military Construction Authorization Act for Fiscal
23 Year 2000 (division B of Public Law 106–65; 113
24 Stat. 828), \$37,580,000.

1 (9) For construction of an Advanced Systems
2 Integration Facility, phase 6, at Naval Air Warfare
3 Center, Patuxent River, Maryland, authorized in sec-
4 tion 2201(a) of the Military Construction Authoriza-
5 tion Act for Fiscal Year 1993 (division B of Public
6 Law 102–484; 106 Stat. 2590), \$10,770,000.

7 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
8 PROJECTS.—Notwithstanding the cost variations author-
9 ized by section 2853 of title 10, United States Code, and
10 any other cost variation authorized by law, the total cost
11 of all projects carried out under section 2201 of this Act
12 may not exceed—

13 (1) the total amount authorized to be appro-
14 priated under paragraphs (1) and (2) of subsection
15 (a); and

16 (2) \$33,240,000 (the balance of the amount au-
17 thorized under section 2201(a) for Pier Replacement
18 (Increment I), Naval Station, Norfolk, Virginia).

19 (c) ADJUSTMENT.—The total amount authorized to
20 be appropriated pursuant to paragraphs (1) through (5)
21 of subsection (a) is the sum of the amounts authorized
22 to be appropriated in such paragraphs reduced by
23 \$700,000, which represents savings resulting from adjust-
24 ments to foreign currency exchange rates for military fam-

1 ily housing construction and military family housing sup-
 2 port outside the United States.

3 **SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT**
 4 **CERTAIN FISCAL YEAR 2001 PROJECTS.**

5 The table in section 2201(a) of the Military Construc-
 6 tion Authorization Act for Fiscal Year 2001 (division B
 7 of the Floyd D. Spence National Defense Authorization
 8 Act for Fiscal Year 2001 (as enacted by Public Law 106–
 9 398); 114 Stat. 1654A–395) is amended—

10 (1) in the item relating to Naval Shipyard,
 11 Bremerton, Puget Sound, Washington, by striking
 12 “\$100,740,000” in the amount column and inserting
 13 “\$98,740,000”;

14 (2) in the item relating to Naval Station, Brem-
 15 erton, Washington, by striking “\$11,930,000” in the
 16 amount column and inserting “\$1,930,000”; and

17 (3) by striking the amount identified as the
 18 total in the amount column and inserting
 19 “\$799,497,000”.

20 **SEC. 2206. MODIFICATION OF AUTHORITY TO CARRY OUT**
 21 **FISCAL YEAR 2000 PROJECT.**

22 (a) MODIFICATION.—The table in section 2201(a) of
 23 the Military Construction Authorization Act for Fiscal
 24 Year 2000 (division B of Public Law 106–65; 113 Stat.
 25 828) is amended—

(1) in the item relating to Camp Smith, Hawaii, by striking “\$86,050,000” in the amount column and inserting “\$89,050,000”; and

(2) by striking the amount identified as the total in the amount column and inserting “\$820,230,000”.

(b) CONFORMING AMENDMENT.—Section 2204(b)(3) of that Act (113 Stat. 831) is amended by striking “\$70,180,000” and inserting “\$73,180,000”.

TITLE XXIII—AIR FORCE

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(1), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

| State | Installation or location | Amount |
|------------------|-------------------------------------|---------------|
| Alabama | Maxwell Air Force Base | \$34,400,000 |
| Alaska | Eareckson Air Force Base | \$4,600,000 |
| | Elmendorf Air Force Base | \$32,200,000 |
| Arizona | Davis-Monthan Air Force Base | \$17,300,000 |
| Arkansas | Little Rock Air Force Base | \$18,100,000 |
| California | Edwards Air Force Base | \$16,300,000 |
| | Los Angeles Air Force Base | \$23,000,000 |
| | Travis Air Force Base | \$16,400,000 |
| | Vandenberg Air Force Base | \$11,800,000 |
| Colorado | Buckley Air Force Base | \$23,200,000 |
| | Schriever Air Force Base | \$19,000,000 |
| | United States Air Force Academy ... | \$25,500,000 |
| Delaware | Dover Air Force Base | \$7,300,000 |

Air Force: Inside the United States—Continued

| State | Installation or location | Amount |
|----------------------------|--------------------------------------|---------------|
| District of Columbia | Bolling Air Force Base | \$2,900,000 |
| Florida | Cape Canaveral Air Force Station ... | \$7,800,000 |
| | Eglin Air Force Base | \$11,400,000 |
| | Hurlburt Field | \$10,400,000 |
| | MacDill Air Force Base | \$10,000,000 |
| | Tyndall Air Force Base | \$15,050,000 |
| Georgia | Moody Air Force Base | \$8,600,000 |
| | Robins Air Force Base | \$14,650,000 |
| Idaho | Mountain Home Air Force Base | \$14,600,000 |
| Louisiana | Barksdale Air Force Base | \$5,000,000 |
| Maryland | Andrews Air Force Base | \$19,420,000 |
| Massachusetts | Hanscom Air Force Base | \$9,400,000 |
| Mississippi | Columbus Air Force Base | \$5,000,000 |
| | Keesler Air Force Base | \$28,600,000 |
| Montana | Malmstrom Air Force Base | \$4,650,000 |
| Nebraska | Offet Air Force Base | \$10,400,000 |
| Nevada | Nellis Air Force Base | \$31,600,000 |
| New Jersey | McGuire Air Force Base | \$36,550,000 |
| New Mexico | Cannon Air Force Base | \$9,400,000 |
| | Kirtland Air Force Base | \$15,500,000 |
| North Carolina | Pope Air Force Base | \$17,800,000 |
| North Dakota | Grand Forks Air Force Base | \$7,800,000 |
| Ohio | Wright-Patterson Air Force Base ... | \$24,850,000 |
| Oklahoma | Altus Air Force Base | \$20,200,000 |
| | Tinker Air Force Base | \$21,400,000 |
| | Vance Air Force Base | \$4,800,000 |
| South Carolina | Shaw Air Force Base | \$5,800,000 |
| South Dakota | Ellsworth Air Force Base | \$12,000,000 |
| Tennessee | Arnold Air Force Base | \$24,400,000 |
| Texas | Lackland Air Force Base | \$12,800,000 |
| | Laughlin Air Force Base | \$12,000,000 |
| | Sheppard Air Force Base | \$37,000,000 |
| Utah | Hill Air Force Base | \$14,000,000 |
| Virginia | Langley Air Force Base | \$47,300,000 |
| Washington | Fairechild Air Force Base | \$2,800,000 |
| | McChord Air Force Base | \$20,700,000 |
| Wyoming | F.E. Warren Air Force Base | \$10,200,000 |
| | Total: | \$811,370,000 |

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
 2 appropriated pursuant to the authorization of appropria-
 3 tions in section 2304(a)(2), the Secretary of the Air Force
 4 may acquire real property and carry out military construc-
 5 tion projects for the installations and locations outside the
 6 United States, and in the amounts, set forth in the fol-
 7 lowing table:

Air Force: Outside the United States

| Country | Installation or location | Amount |
|----------------------|-----------------------------------|---------------|
| Germany | Ramstein Air Force Base | \$42,900,000 |
| | Spangdahlem Air Base | \$8,700,000 |
| Guam | Andersen Air Force Base | \$10,150,000 |
| Italy | Aviano Air Base | \$11,800,000 |
| Korea | Kunsan Air Base | \$12,000,000 |
| | Osan Air Base | \$101,142,000 |
| Turkey | Eskischir | \$4,000,000 |
| United Kingdom | Royal Air Force, Lakenheath | \$11,300,000 |
| | Royal Air Force, Mildenhall | \$22,400,000 |
| Wake Island | Wake Island | \$25,000,000 |
| | Total: | \$249,392,000 |

1 (c) UNSPECIFIED WORLDWIDE.—Using the amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2304(a)(3), the Secretary of the Air Force
4 may acquire real property and carry out military construc-
5 tion projects for the installation and location and in the
6 amount, set forth in the following table:

Air Force: Unspecified Worldwide

| Location | Installation | Amount |
|-----------------------------|---------------------------|-------------|
| Unspecified Worldwide | Classified Location | \$4,458,000 |

SEC. 2302. FAMILY HOUSING.

8 (a) CONSTRUCTION AND ACQUISITION.—Using
9 amounts appropriated pursuant to the authorization of ap-
10 propriations in section 2304(a)(6)(A), the Secretary of the
11 Air Force may construct or acquire family housing units
12 (including land acquisition) at the installations, for the
13 purposes, and in the amounts set forth in the following
14 table:

Air Force: Family Housing

| State or country | Installation or loca- tion | Purpose | Amount |
|------------------|-------------------------------|-----------------|--------------|
| Arizona | Luke Air Force Base .. | 120 Units | \$15,712,000 |
| California | Travis Air Force Base | 118 Units | \$18,150,000 |

Air Force: Family Housing—Continued

| State or country | Installation or location | Purpose | Amount |
|----------------------------|---------------------------------|-----------------|---------------|
| Colorado | Buckley Air Force Base. | 55 Units | \$11,400,000 |
| Delaware | Dover Air Force Base | 120 Units | \$18,145,000 |
| District of Columbia | Bolling Air Force Base | 136 Units | \$16,926,000 |
| Hawaii | Hickam Air Force Base. | 102 Units | \$25,037,000 |
| Louisiana | Barksdale Air Force Base. | 56 Units | \$7,300,000 |
| South Dakota | Ellsworth Air Force Base. | 78 Units | \$13,700,000 |
| Virginia | Langley Air Force Base. | 4 Units | \$1,200,000 |
| Portugal | Lajes Field, Azores | 64 Units | \$13,230,000 |
| | | Total: | \$140,800,000 |

1 (b) PLANNING AND DESIGN.—Using amounts appro-
2 priated pursuant to the authorization of appropriations in
3 section 2304(a)(6)(A), the Secretary of the Air Force may
4 carry out architectural and engineering services and con-
5 struction design activities with respect to the construction
6 or improvement of military family housing units in an
7 amount not to exceed \$24,558,000.

8 **SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
9 **UNITS.**

10 Subject to section 2825 of title 10, United States
11 Code, and using amounts appropriated pursuant to the
12 authorization of appropriations in section 2304(a)(6)(A),
13 the Secretary of the Air Force may improve existing mili-
14 tary family housing units in an amount not to exceed
15 \$375,379,000.

1 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**
2 **FORCE.**

3 (a) IN GENERAL.—Funds are hereby authorized to
4 be appropriated for fiscal years beginning after September
5 30, 2001, for military construction, land acquisition, and
6 military family housing functions of the Department of the
7 Air Force in the total amount of \$2,579,791,000, as fol-
8 lows:

9 (1) For military construction projects inside the
10 United States authorized by section 2301(a),
11 \$816,070,000.

12 (2) For military construction projects outside
13 the United States authorized by section 2301(b),
14 \$249,392,000.

15 (3) For the military construction projects at
16 unspecified worldwide locations authorized by section
17 2301(c), \$4,458,000.

18 (4) For unspecified minor construction projects
19 authorized by section 2805 of title 10, United States
20 Code, \$11,250,000.

21 (5) For architectural and engineering services
22 and construction design under section 2807 of title
23 10, United States Code, \$90,419,000.

24 (6) For military housing functions:

1 (A) For construction and acquisition, plan-
2 ning and design, and improvement of military
3 family housing and facilities, \$542,381,000.

4 (B) For support of military family housing
5 (including functions described in section 2833
6 of title 10, United States Code), \$869,121,000.

7 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
8 PROJECTS.—Notwithstanding the cost variations author-
9 ized by section 2853 of title 10, United States Code, and
10 any other cost variation authorized by law, the total cost
11 of all projects carried out under section 2301 of this Act
12 may not exceed the total amount authorized to be appro-
13 priated under paragraphs (1), (2), and (3) of subsection
14 (a).

15 (c) ADJUSTMENT.—The total amount authorized to
16 be appropriated pursuant to paragraphs (1) through (6)
17 of subsection (a) is the sum of the amounts authorized
18 to be appropriated in such paragraphs reduced by
19 \$3,300,000, which represents savings resulting from ad-
20 justments to foreign currency exchange rates for military
21 family housing construction and military family housing
22 support outside the United States.

**SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT
CERTAIN FISCAL YEAR 2001 PROJECT.**

The table in section 2302(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106–398); 114 Stat. 1654A–400) is amended in the item relating to Mountain Home Air Force Base, Idaho, by striking “119 Units” in the purpose column and inserting “46 Units”.

**TITLE XXIV—DEFENSE
AGENCIES**

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

| Agency | Installation or location | Amount |
|--------------------------------|--|--------------|
| Defense Education Activity .. | Laurel Bay, South Carolina | \$12,850,000 |
| | Marine Corps Base, Camp LeJeune, North Carolina | \$8,857,000 |
| Defense Logistics Agency | Defense Distribution Depot Tracy, California | \$30,000,000 |
| | Defense Distribution Depot, Susquehanna, New Cumberland, Pennsylvania | \$19,900,000 |

Defense Agencies: Inside the United States—Continued

| Agency | Installation or location | Amount |
|-----------------------------------|---|---------------|
| Special Operations Command | Eielson Air Force Base, Alaska | \$8,800,000 |
| | Fort Belvoir, Virginia | \$900,000 |
| | Grand Forks Air Force Base, North Dakota | \$9,110,000 |
| | Hickam Air Force Base, Hawaii | \$29,200,000 |
| | McGuire Air Force Base, New Jersey | \$4,400,000 |
| | Minot Air Force Base, North Dakota | \$14,000,000 |
| | Philadelphia, Pennsylvania | \$2,429,000 |
| | Pope Air Force Base, North Carolina | \$3,400,000 |
| | Aberdeen Proving Ground, Maryland | \$3,200,000 |
| | Fort Benning, Georgia | \$5,100,000 |
| | Fort Bragg, North Carolina | \$33,562,000 |
| | Fort Lewis, Washington | \$6,900,000 |
| | Hurlburt Field, Florida | \$13,400,000 |
| | MacDill Air Force Base, Florida | \$12,000,000 |
| | Naval Station, San Diego, California | \$13,650,000 |
| | CONUS Classified | \$2,400,000 |
| | Andrews Air Force Base, Maryland | \$10,250,000 |
| TRICARE Management Activity. | Dyess Air Force Base, Texas | \$3,300,000 |
| | F.E. Warren Air Force Base, Wyoming | \$2,700,000 |
| | Fort Hood, Texas | \$12,200,000 |
| | Fort Stewart/Hunter Army Air Field, Georgia | \$11,000,000 |
| | Holloman Air Force Base, New Mexico | \$5,700,000 |
| | Hurlburt Field, Florida | \$8,800,000 |
| | Marine Corps Base, Camp Pendleton, California | \$15,300,000 |
| | Marine Corps Logistics Base, Albany, Georgia | \$5,800,000 |
| | Naval Air Station, Whidbey Island, Washington | \$6,600,000 |
| | Naval Hospital, Twentynine Palms, California | \$1,600,000 |
| | Naval Station, Mayport, Florida | \$24,000,000 |
| | Naval Station, Norfolk, Virginia | \$21,000,000 |
| | Schriever Air Force Base, Colorado | \$4,000,000 |
| | Pentagon Reservation, Virginia | \$25,000,000 |
| Washington Headquarters Services. | Total: | \$391,308,000 |

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2403(a)(2), the Secretary of Defense may
4 acquire real property and carry out military construction
5 projects for the installations and locations outside the

1 United States, and in the amounts, set forth in the fol-
 2 lowing table:

Defense Agencies: Outside the United States

| Agency | Installation or location | Amount |
|---------------------------------|---|---------------|
| Defense Education Activity .. | Aviano Air Base, Italy | \$3,647,000 |
| | Geilenkirchen, Germany | \$1,733,000 |
| | Heidelberg, Germany | \$3,312,000 |
| | Kaiserslautern, Germany | \$1,439,000 |
| | Kitzingen, Germany | \$1,394,000 |
| | Landstuhl, Germany | \$1,444,000 |
| | Ramstein Air Base, Germany | \$2,814,000 |
| | Royal Air Force, Feltwell, United Kingdom | \$22,132,000 |
| | Vogelweh Annex, Germany | \$1,558,000 |
| | Wiesbaden Air Base, Germany | \$1,378,000 |
| | Wuerzburg, Germany | \$2,684,000 |
| Defense Logistics Agency | Andersen Air Force Base, Guam | \$20,000,000 |
| | Camp Casey, Korea | \$5,500,000 |
| | Naval Station, Rota, Spain | \$3,000,000 |
| | Yokota Air Base, Japan | \$13,000,000 |
| Office of Secretary of Defense. | Comalapa Air Base, El Salvador | \$12,577,000 |
| TRICARE Management Activity. | Heidelberg, Germany | \$28,000,000 |
| | Lajes Field, Azores, Portugal | \$3,750,000 |
| | Thule, Greenland | \$10,800,000 |
| Total: | | \$140,162,000 |

3 **SEC. 2402. ENERGY CONSERVATION PROJECTS.**

4 Using amounts appropriated pursuant to the author-
 5 ization of appropriations in section 2405(a)(6), the Sec-
 6 retary of Defense may carry out energy conservation
 7 projects under section 2865 of title 10, United States
 8 Code, in the amount of \$35,600,000.

9 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DE-**
 10 **FENSE AGENCIES.**

11 (a) IN GENERAL.—Funds are hereby authorized to
 12 be appropriated for fiscal years beginning after September
 13 30, 2001, for military construction, land acquisition, and
 14 military family housing functions of the Department of

1 Defense (other than the military departments), in the total
2 amount of \$1,492,956,000, as follows:

3 (1) For military construction projects inside the
4 United States authorized by section 2401(a),
5 \$391,308,000.

6 (2) For military construction projects outside
7 the United States authorized by section 2401(b),
8 \$140,162,000.

9 (3) For unspecified minor construction projects
10 under section 2805 of title 10, United States Code,
11 \$24,492,000.

12 (4) For contingency construction projects of the
13 Secretary of Defense under section 2804 of title 10,
14 United States Code, \$10,000,000.

15 (5) For architectural and engineering services
16 and construction design under section 2807 of title
17 10, United States Code, \$87,382,000.

18 (6) For energy conservation projects authorized
19 by section 2402 of this Act, \$35,600,000.

20 (7) For base closure and realignment activities
21 as authorized by the Defense Base Closure and Re-
22 alignment Act of 1990 (part A of title XXIX of
23 Public Law 101–510; 10 U.S.C. 2687 note),
24 \$592,200,000.

25 (8) For military family housing functions:

1 (A) For improvement of military family
2 housing and facilities, \$250,000.

3 (B) For support of military family housing
4 (including functions described in section 2833
5 of title 10, United States Code), \$43,762,000 of
6 which not more than \$37,298,000 may be obli-
7 gated or expended for the leasing of military
8 family housing units worldwide.

9 (C) For credit to the Department of De-
10 fense Family Housing Improvement Fund es-
11 tablished by section 2883(a)(1) of title 10,
12 United States Code, \$2,000,000.

13 (9) For construction of the Ammunition Demili-
14 tarization Facility Phase 6, Pine Bluff Arsenal, Ar-
15 kansas, authorized in section 2401(a) of the Military
16 Construction Authorization Act for Fiscal Year 1995
17 (division B of Public Law 103–337; 108 Stat.
18 3040), as amended by section 2407 of the Military
19 Construction Authorization Act for Fiscal Year 1996
20 (division B of Public Law 104–106; 110 Stat. 538),
21 section 2408 of the Military Construction Authoriza-
22 tion Act for Fiscal Year 1998 (division B of Public
23 Law 105–85; 111 Stat. 1982), section 2406 of the
24 Military Construction Authorization Act for Fiscal
25 Year 1999 (division B of Public Law 105–261; 112

1 Stat. 2197), and section 2408 of this Act,
2 \$26,000,000.

3 (10) For construction of the Ammunition De-
4 militarization Facility Phase 3, Pueblo Army Depot,
5 Colorado, authorized in section 2401(a) of the Mili-
6 tary Construction Authorization Act for Fiscal Year
7 1997 (division B of Public Law 104–201; 110 Stat.
8 2775), as amended by section 2406 of the Military
9 Construction Authorization Act for Fiscal Year 2000
10 (division B of Public Law 106–65; 113 Stat. 839),
11 \$11,000,000.

12 (11) For construction of the Ammunition De-
13 militarization Facility Phase 4, Newport Army
14 Depot, Indiana, authorized in section 2401(a) of the
15 Military Construction Authorization Act for Fiscal
16 Year 1999 (division B of Public Law 105–261; 112
17 Stat. 2193), \$66,000,000.

18 (12) For construction of the Ammunition De-
19 militarization Facility phase 4, Aberdeen Proving
20 Ground, Maryland, authorized in section 2401(a) of
21 the Military Construction Authorization Act for Fis-
22 cal Year 1999 (112 Stat. 2193), as amended by sec-
23 tion 2407 of this Act, \$66,500,000.

24 (13) For construction of the Ammunition De-
25 militarization Facility Phase 2, Blue Grass Army

1 Depot, Kentucky, authorized in section 2401(a) of
 2 the Military Construction Authorization Act for Fis-
 3 cal Year 2000 (division B of Public Law 106–65;
 4 113 Stat. 835), as amended by section 2406 of this
 5 Act, \$3,000,000.

6 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
 7 PROJECTS.—Notwithstanding the cost variations author-
 8 ized by section 2853 of title 10, United States Code, and
 9 any other cost variation authorized by law, the total cost
 10 of all projects carried out under section 2401 of this Act
 11 may not exceed the total amount authorized to be appro-
 12 priated under paragraphs (1) and (2) of subsection (a).

13 (c) ADJUSTMENT.—The total amount authorized to
 14 be appropriated pursuant to paragraphs (1) through (8)
 15 of subsection (a) is the sum of the amounts authorized
 16 to be appropriated in such paragraphs reduced by
 17 \$1,700,000, which represents savings resulting from ad-
 18 justments to foreign currency exchange rates for military
 19 family housing construction and military family housing
 20 support outside the United States.

21 **SEC. 2404. CANCELLATION OF AUTHORITY TO CARRY OUT**
 22 **CERTAIN FISCAL YEAR 2001 PROJECTS.**

23 (a) CANCELLATION OF PROJECTS AT CAMP PEN-
 24 DLETON, CALIFORNIA.—(1) The table in section 2401(a)
 25 of the Military Construction Authorization Act for Fiscal

1 Year 2001 (division B of the Floyd D. Spence National
2 Defense Authorization Act for Fiscal Year 2001 (as en-
3 acted by Public Law 106–398); 114 Stat. 1654A–402) is
4 amended—

5 (A) by striking the item relating to Marine
6 Corps Base, Camp Pendleton, California, under the
7 heading TRICARE Management Activity; and

8 (B) by striking the amount identified as the
9 total in the amount column and inserting
10 “\$242,756,000”.

11 (2) Of the amount authorized to be appropriated by
12 section 2403(a) of that Act (114 Stat. 1654A–404), and
13 paragraph (1) of that section, \$14,150,000 shall be avail-
14 able for purposes relating to construction of the Ports-
15 mouth Naval Hospital, Virginia, as authorized by section
16 2401(a) of the Military Construction Authorization Act
17 for Fiscal Years 1990 and 1991 (division B of Public Law
18 101–189). Such amount is the amount authorized to be
19 appropriated by section 2403(a) of the Military Construc-
20 tion Authorization Act for Fiscal Year 2001 for purposes
21 authorized in section 2401(a) of that Act relating to Ma-
22 rine Corps Base, Camp Pendleton, California.

23 (b) CONFORMING AMENDMENTS.—Section 2403(a)
24 of that Act is amended—

1 (1) in the matter preceding paragraph (1), by
 2 striking “\$1,883,902,000” and inserting
 3 “\$1,828,902,000”; and

4 (2) in paragraph (3), by striking
 5 “\$85,095,000” and inserting “\$30,095,000”.

6 **SEC. 2405. CANCELLATION OF AUTHORITY TO CARRY OUT**
 7 **ADDITIONAL FISCAL YEAR 2001 PROJECT.**

8 (a) CANCELLATION OF AUTHORITY.—Section
 9 2401(c) the Military Construction Authorization Act for
 10 Fiscal Year 2001 (division B of the Floyd D. Spence Na-
 11 tional Defense Authorization Act for Fiscal Year 2001 (as
 12 enacted by Public Law 106–398); 114 Stat. 1654A–404)
 13 is amended by striking “\$451,135,000” and inserting
 14 “\$30,095,000”.

15 (b) CONFORMING AMENDMENTS.—Section 2403 of
 16 that Act is amended—

17 (1) in subsection (a)—

18 (A) in the matter preceding paragraph (1),
 19 by striking “\$1,883,902,000” and inserting
 20 “\$1,828,902,000”; and

21 (B) in paragraph (3), by striking
 22 “\$85,095,000” and inserting “\$30,095,000”;
 23 and

24 (2) in subsection (b), by striking “may not ex-
 25 ceed—” and all that follows through the end of the

1 subsection and inserting “may not exceed the total
 2 amount authorized to be appropriated under para-
 3 graphs (1) and (2) of subsection (a).”.

4 **SEC. 2406. MODIFICATION OF AUTHORITY TO CARRY OUT**
 5 **CERTAIN FISCAL YEAR 2000 PROJECTS.**

6 (a) MODIFICATION.—The table in section 2401(a) of
 7 the Military Construction Authorization Act for Fiscal
 8 Year 2000 (division B of Public Law 106–65; 113 Stat.
 9 835) is amended—

10 (1) in the item under the heading Chemical De-
 11 militarization relating to Blue Grass Army Depot,
 12 Kentucky, by striking “\$206,800,000” and inserting
 13 “\$254,030,000”;

14 (2) under the heading relating to TRICARE
 15 Management Agency—

16 (A) in the item relating to Fort Wain-
 17 wright, Alaska, by striking “\$133,000,000” and
 18 inserting “\$215,000,000”; and

19 (B) by striking the item relating to Naval
 20 Air Station, Whidbey Island, Washington; and

21 (3) by striking the amount identified as the
 22 total in the amount column and inserting
 23 “\$711,950,000”.

24 (b) CONFORMING AMENDMENTS.—Section 2405(b)
 25 of that Act (113 Stat. 839) is amended—

1 (1) in paragraph (2), by striking
 2 “\$115,000,000” and inserting “\$197,000,000”; and
 3 (2) in paragraph (3), by striking
 4 “\$184,000,000” and inserting “\$231,230,000”.

5 (c) TREATMENT OF AUTHORIZATION OF APPROPRIA-
 6 TIONS FOR CANCELED PROJECT.—Of the amount author-
 7 ized to be appropriated by section 2405(a) of that Act
 8 (113 Stat. 837), and paragraph (1) of that section,
 9 \$4,700,000 shall be available for purposes relating to con-
 10 struction of the Portsmouth Naval Hospital, Virginia, as
 11 authorized by section 2401(a) of the Military Construction
 12 Authorization Act for Fiscal Years 1990 and 1991 (divi-
 13 sion B of Public Law 101–189). Such amount is the
 14 amount authorized to be appropriated by section 2405(a)
 15 of the Military Construction Authorization Act for Fiscal
 16 Year 2000 for purposes authorized in section 2401(a) of
 17 that Act relating to Naval Air Station, Whidbey Island,
 18 Washington.

19 **SEC. 2407. MODIFICATION OF AUTHORITY TO CARRY OUT**
 20 **CERTAIN FISCAL YEAR 1999 PROJECT.**

21 (a) MODIFICATION.—The table in section 2401(a) of
 22 the Military Construction Authorization Act for Fiscal
 23 Year 1999 (division B of Public Law 105–261; 112 Stat.
 24 2193) is amended—

1 (1) in the item under the agency heading
 2 Chemical Demilitarization relating to Aberdeen
 3 Proving Ground, Maryland, by striking
 4 “\$186,350,000” in the amount column and inserting
 5 “\$223,950,000”; and

6 (2) by striking the amount identified as the
 7 total in the amount column and inserting
 8 “\$727,616,000”.

9 (b) CONFORMING AMENDMENT.—Section 2404(b)(3)
 10 of that Act (112 Stat. 2196) is amended by striking
 11 “\$158,000,000” and inserting “\$195,600,000”.

12 **SEC. 2408. MODIFICATION OF AUTHORITY TO CARRY OUT**
 13 **CERTAIN FISCAL YEAR 1995 PROJECT.**

14 The table in section 2401 of the Military Construc-
 15 tion Authorization Act for Fiscal Year 1995 (division B
 16 of Public Law 103–337; 108 Stat. 3040), as amended by
 17 section 2407 of the Military Construction Authorization
 18 Act for Fiscal Year 1996 (division B of Public Law 104–
 19 106; 110 Stat. 539), section 2408 of the Military Con-
 20 struction Authorization Act for Fiscal Year 1998 (division
 21 B of Public Law 105–85; 111 Stat. 1982), and section
 22 2406 of the Military Construction Authorization Act for
 23 Fiscal Year 1999 (division B of Public Law 105–261; 112
 24 Stat. 2197), is further amended under the agency heading
 25 relating to Chemical Weapons and Munitions Destruction

1 in the item relating to Pine Bluff Arsenal, Arkansas, by
2 striking “\$154,400,000” in the amount column and in-
3 serting “\$177,400,000”.

4 **TITLE XXV—NORTH ATLANTIC**
5 **TREATY ORGANIZATION SE-**
6 **CURITY INVESTMENT PRO-**
7 **GRAM**

8 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
9 **ACQUISITION PROJECTS.**

10 The Secretary of Defense may make contributions for
11 the North Atlantic Treaty Organization Security Invest-
12 ment program as provided in section 2806 of title 10,
13 United States Code, in an amount not to exceed the sum
14 of the amount authorized to be appropriated for this pur-
15 pose in section 2502 and the amount collected from the
16 North Atlantic Treaty Organization as a result of con-
17 struction previously financed by the United States.

18 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

19 Funds are hereby authorized to be appropriated for
20 fiscal years beginning after September 30, 2001, for con-
21 tributions by the Secretary of Defense under section 2806
22 of title 10, United States Code, for the share of the United
23 States of the cost of projects for the North Atlantic Treaty
24 Organization Security Investment program authorized by
25 section 2501, in the amount of \$162,600,000.

**TITLE XXVI—GUARD AND
RESERVE FORCES FACILITIES**

SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

There are authorized to be appropriated for fiscal years beginning after September 30, 2001, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), the following amounts:

(1) For the Department of the Army—

(A) for the Army National Guard of the United States, \$365,240,000; and

(B) for the Army Reserve, \$111,404,000.

(2) For the Department of the Navy, for the Naval and Marine Corps Reserve, \$33,641,000.

(3) For the Department of the Air Force—

(A) for the Air National Guard of the United States, \$227,232,000; and

(B) for the Air Force Reserve, \$53,732,000.

1 **TITLE XXVII—EXPIRATION AND**
2 **EXTENSION OF AUTHORIZA-**
3 **TIONS**

4 **SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND**
5 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
6 **LAW.**

7 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE
8 YEARS.—Except as provided in subsection (b), all author-
9 izations contained in titles XXI through XXVI for military
10 construction projects, land acquisition, family housing
11 projects and facilities, and contributions to the North At-
12 lantic Treaty Organization Security Investment program
13 (and authorizations of appropriations therefor) shall ex-
14 pire on the later of—

15 (1) October 1, 2004; or

16 (2) the date of the enactment of an Act author-
17 izing funds for military construction for fiscal year
18 2005.

19 (b) EXCEPTION.—Subsection (a) shall not apply to
20 authorizations for military construction projects, land ac-
21 quisition, family housing projects and facilities, and con-
22 tributions to the North Atlantic Treaty Organization Se-
23 curity Investment program (and authorizations of appro-
24 priations therefor) for which appropriated funds have been
25 obligated before the later of—

1 (1) October 1, 2004; or

2 (2) the date of the enactment of an Act author-
 3 izing funds for fiscal year 2005 for military con-
 4 struction projects, land acquisition, family housing
 5 projects and facilities, or contributions to the North
 6 Atlantic Treaty Organization Security Investment
 7 program.

8 **SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 9 **FISCAL YEAR 1999 PROJECTS.**

10 (a) EXTENSION.—Notwithstanding section 2701 of
 11 the Military Construction Authorization Act for Fiscal
 12 Year 1999 (division B of Public Law 105–261; 112 Stat.
 13 2199), authorizations set forth in the tables in subsection
 14 (b), as provided in section 2302 or 2601 of that Act, shall
 15 remain in effect until October 1, 2002, or the date of the
 16 enactment of an Act authorizing funds for military con-
 17 struction for fiscal year 2003, whichever is later.

18 (b) TABLES.—The tables referred to in subsection (a)
 19 are as follows:

Air Force: Extension of 1999 Project Authorizations

| State | Installation or loca- tion | Project | Amount |
|------------------|----------------------------------|------------------------------------|-------------|
| Delaware | Dover Air Force Base | Replace Family Housing (55 units). | \$8,998,000 |
| Florida | Patrick Air Force Base | Replace Family Housing (46 units). | \$9,692,000 |
| New Mexico | Kirtland Air Force Base. | Replace Family Housing (37 units). | \$6,400,000 |
| Ohio | Wright-Patterson Air Force Base. | Replace Family Housing (40 units). | \$5,600,000 |

Army National Guard: Extension of 1999 Project Authorizations

| State | Installation or location | Project | Amount |
|----------------------|--------------------------|--|-------------|
| Massachusetts | Westfield | Army Aviation Support Facility. Readiness Center. | \$9,274,000 |
| South Carolina | Spartanburg | | \$5,260,000 |

1 **SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
2 **FISCAL YEAR 1998 PROJECTS.**

3 (a) EXTENSION.—Notwithstanding section 2701 of
4 the Military Construction Authorization Act for Fiscal
5 Year 1998 (division B of Public Law 105–85; 111 Stat.
6 1984), authorizations set forth in the tables in subsection
7 (b), as provided in section 2102, 2202, or 2302 of that
8 Act and extended by section 2702 of the Military Con-
9 struction Authorization Act for Fiscal Year 2001 (division
10 B of the Floyd D. Spence National Defense Authorization
11 Act for Fiscal Year 2001 (as enacted by Public Law 106–
12 398; 114 Stat. 1654A–408)), shall remain in effect until
13 October 1, 2002, or the date of the enactment of an Act
14 authorizing funds for military construction for fiscal year
15 2003, whichever is later.

16 (b) TABLES.—The tables referred to in subsection (a)
17 are as follows:

Army: Extension of 1998 Project Authorization

| State | Installation or location | Project | Amount |
|----------------|--------------------------|--|-------------|
| Maryland | Fort Meade | Family Housing Construction (56 units). | \$7,900,000 |

Navy: Extension of 1998 Project Authorizations

| State | Installation or location | Project | Amount |
|------------------|------------------------------------|--|---------------|
| California | Naval Complex, San Diego. | Replacement Family Housing Construction (94 units). | \$13,500,000 |
| California | Marine Corps Air Station, Miramar. | Family Housing Construction (166 units). | \$28,881,000 |
| Louisiana | Naval Complex, New Orleans. | Replacement Family Housing Construction (100 units). | \$11,930,000 |
| Texas | Naval Air Station, Corpus Christi. | Family Housing Construction (212 units). | \$22,250,000 |

Air Force: Extension of 1998 Project Authorization

| State | Installation or location | Project | Amount |
|------------------|---------------------------------|-------------------------------------|---------------|
| New Mexico | Kirtland Air Force Base. | Replace Family Housing (180 units). | \$20,900,000 |

1 SEC. 2704. EFFECTIVE DATE.

2 Titles XXI, XXII, XXIII, XXIV, XXV, and XXVI

3 shall take effect on the later of—

4 (1) October 1, 2001; or

5 (2) the date of the enactment of this Act.

1 **TITLE XXVIII—GENERAL**
2 **PROVISIONS**
3 **Subtitle A—Military Construction**
4 **Program and Military Family**
5 **Housing Changes**

6 **SEC. 2801. INCREASE IN THRESHOLDS FOR CERTAIN UN-**
7 **SPECIFIED MINOR MILITARY CONSTRUCTION**
8 **PROJECTS.**

9 (a) PROJECTS REQUIRING ADVANCE APPROVAL OF
10 SECRETARY CONCERNED.—Subsection (b)(1) of section
11 2805 of title 10, United States Code, amended by striking
12 “\$500,000” and inserting “\$750,000”.

13 (b) PROJECTS USING AMOUNTS FOR OPERATION
14 AND MAINTENANCE.—Subsection (c)(1) of that section is
15 amended—

16 (1) in subparagraph (A), by striking
17 “\$1,000,000” and inserting “\$1,500,000”; and

18 (2) in subparagraph (B), by striking
19 “\$500,000” and inserting “\$750,000”.

1 **SEC. 2802. UNFORESEEN ENVIRONMENTAL HAZARD REME-**
 2 **DIATION AS BASIS FOR AUTHORIZED COST**
 3 **VARIATIONS FOR MILITARY CONSTRUCTION**
 4 **AND FAMILY HOUSING CONSTRUCTION**
 5 **PROJECTS.**

6 Subsection (d) of section 2853 of title 10, United
 7 States Code, is amended to read as follows:

8 “(d) The limitation on cost increases in subsection
 9 (a) does not apply to the following:

10 “(1) The settlement of a contractor claim under
 11 a contract.

12 “(2) The cost of any environmental hazard re-
 13 mediation required by law, including asbestos re-
 14 moval, radon abatement, and lead-based paint re-
 15 moval or abatement, if such remediation could not
 16 have reasonably been anticipated at the time the
 17 project was approved originally by Congress.”.

18 **SEC. 2803. REPEAL OF REQUIREMENT FOR ANNUAL RE-**
 19 **PORTS TO CONGRESS ON MILITARY CON-**
 20 **STRUCTION AND MILITARY FAMILY HOUSING**
 21 **ACTIVITIES.**

22 (a) REPEAL.—Section 2861 of title 10, United States
 23 Code is repealed.

24 (b) CLERICAL AMENDMENT.—The table of sections
 25 at the beginning of subchapter III of chapter 169 of such

1 title is amended by striking the item relating to section
2 2861.

3 **SEC. 2804. AUTHORITY AVAILABLE FOR LEASE OF PROP-**
4 **ERTY AND FACILITIES UNDER ALTERNATIVE**
5 **AUTHORITY FOR ACQUISITION AND IM-**
6 **PROVEMENT OF MILITARY HOUSING.**

7 (a) LEASE AUTHORITIES AVAILABLE.—Section 2878
8 of title 10, United States Code, is amended—

9 (1) by redesignating subsections (c) and (d) as
10 subsections (d) and (e), respectively; and

11 (2) by inserting after subsection (b) the fol-
12 lowing new subsection (c):

13 “(c) LEASE AUTHORITIES AVAILABLE.—(1) The Sec-
14 retary concerned may use any authority or combination
15 of authorities available under section 2667 of this title in
16 leasing property or facilities under this section to the ex-
17 tent such property or facilities, as the case may be, are
18 described by subsection (a)(1) of such section 2667.

19 “(2) The limitation in subsection (b)(1) of section
20 2667 of this title shall not apply with respect to a lease
21 of property or facilities under this section.”.

22 (b) CONFORMING AMENDMENT.—Subsection (e) of
23 that section, as redesignated by subsection (a) of this sec-
24 tion, is further amended—

25 (1) by striking paragraph (1); and

1 (2) by redesignated paragraphs (2), (3), and
 2 (4) as paragraphs (1), (2), and (3), respectively.

3 (c) TECHNICAL AMENDMENT.—Paragraph (3) of
 4 subsection (e) of that section, as redesignated by this sec-
 5 tion, is further amended by striking “Stewart B. McKin-
 6 ney Homeless Assistance Act” and inserting “McKinney-
 7 Vento Homeless Assistance Act”.

8 **SEC. 2805. FUNDS FOR HOUSING ALLOWANCES OF MEM-**
 9 **BERS ASSIGNED TO MILITARY FAMILY HOUS-**
 10 **ING UNDER ALTERNATIVE AUTHORITY FOR**
 11 **ACQUISITION AND IMPROVEMENT OF MILI-**
 12 **TARY HOUSING.**

13 (a) IN GENERAL.—Subchapter IV of chapter 169 of
 14 title 10, United States Code, is amended by inserting after
 15 section 2883 the following new section:

16 **“§ 2883a. Funds for housing allowances of members**
 17 **of the armed forces assigned to certain**
 18 **military family housing units**

19 “To the extent provided in advance in appropriations
 20 Acts, the Secretary of Defense may, during the fiscal year
 21 in which a contract is awarded for the acquisition or con-
 22 struction of military family housing units under this sub-
 23 chapter that are not to be owned by the United States,
 24 transfer from appropriations available for support of mili-
 25 tary housing for the armed force concerned for that fiscal

1 year to appropriations available for pay and allowances of
 2 military personnel of that armed force for that fiscal year
 3 amounts equal to any additional amounts payable during
 4 that fiscal year to members of that armed force assigned
 5 to such housing units as basic allowance for housing under
 6 section 403 of title 37 that would not otherwise have been
 7 payable to such members if not for assignment to such
 8 housing units.”.

9 (b) CLERICAL AMENDMENT.—The table of sections
 10 at the beginning of that subchapter is amended by insert-
 11 ing after the item relating to section 2883 the following
 12 new item:

“2883a. Funds for housing allowances of members of the armed forces assigned
 to certain military family housing units.”.

13 **Subtitle B—Real Property and** 14 **Facilities Administration**

15 **SEC. 2811. AVAILABILITY OF PROCEEDS OF SALES OF DE-** 16 **PARTMENT OF DEFENSE PROPERTY FROM** 17 **CLOSED MILITARY INSTALLATIONS.**

18 Section 204(h)(2) of the Federal Property and Ad-
 19 ministrative Services Act of 1949 (40 U.S.C. 485(h)(2))
 20 is amended by striking subparagraphs (A) and (B) and
 21 inserting the following new subparagraphs:

22 “(A) In the case of property located at a mili-
 23 tary installation that is closed, such amount shall be
 24 available for facility maintenance and repair or envi-

ronmental restoration by the military department that had jurisdiction over such property before the closure of the military installation.

“(B) In the case of property located at any other military installation—

“(i) 50 percent of such amount shall be available for facility maintenance and repair or environmental restoration at the military installation where such property was located before it was disposed of or transferred; and

“(ii) 50 percent of such amount shall be available for facility maintenance and repair and for environmental restoration by the military department that had jurisdiction over such property before it was disposed of or transferred.”.

SEC. 2812. PILOT EFFICIENT FACILITIES INITIATIVE.

(a) INITIATIVE AUTHORIZED.—The Secretary of Defense may carry out a pilot program for purposes of determining the potential for increasing the efficiency and effectiveness of the operation of military installations. The pilot program shall be known as the “Pilot Efficient Facilities Initiative” (in this section referred to as the “Initiative”).

1 (b) DESIGNATION OF PARTICIPATING FACILITIES.—

2 (1) The Secretary may designate up to two installations
3 of each military department for participation in the Initia-
4 tive.

5 (2) The Secretary shall transmit to the Committees
6 on Armed Services of the Senate and the House of Rep-
7 resentatives a written notification of each installation pro-
8 posed to be included in the Initiative not less than 30 days
9 before taking any action to carry out the Initiative at such
10 installation.

11 (3) The Secretary shall include in the notification re-
12 garding an installation designated for participation in the
13 Initiative a management plan for the Initiative at the in-
14 stallation. Each management plan for an installation shall
15 include the following:

16 (A) A description of—

17 (i) each proposed lease of real or personal
18 property located at the installation;

19 (ii) each proposed disposal of real or per-
20 sonal property located at the installation;

21 (iii) each proposed leaseback of real or per-
22 sonal property leased or disposed of at the in-
23 stallation;

24 (iv) each proposed conversion of services at
25 the installation from Federal Government per-

1 formance to non-Federal Government perform-
 2 ance, including performance by contract with a
 3 State or local government or private entity or
 4 performance as consideration for the lease or
 5 disposal of property at the installation; and

6 (v) each other action proposed to be taken
 7 to improve mission effectiveness and reduce the
 8 cost of providing quality installation support at
 9 the installation.

10 (B) With respect to each proposed action de-
 11 scribed under subparagraph (A)—

12 (i) an estimate of the savings expected to
 13 be achieved as a result of the action;

14 (ii) each regulation not required by statute
 15 that is proposed to be waived to implement the
 16 action; and

17 (iii) each statute or regulation required by
 18 statute that is proposed to be waived to imple-
 19 ment the action, including—

20 (I) an explanation of the reasons for
 21 the proposed waiver; and

22 (II) a description of the action to be
 23 taken to protect the public interests served
 24 by the statute or regulation, as the case

1 may be, proposed to be waived in the event
2 of the waiver.

3 (C) A description of the steps taken by the Sec-
4 retary to consult with employees at the facility, and
5 communities in the vicinity of the facility, regarding
6 the Initiative at the installation.

7 (D) Measurable criteria for the evaluation of
8 the effects of the actions to be taken pursuant to the
9 Initiative at the installation.

10 (c) WAIVER OF STATUTORY REQUIREMENTS.—The
11 Secretary of Defense may waive any statute or regulation
12 required by statute for purposes of carrying out the Initia-
13 tive only if specific authority for the waiver of such statute
14 or regulation is provided in an Act that is enacted after
15 the date of the enactment of this Act.

16 (d) INSTALLATION EFFICIENCY PROJECT FUND.—
17 (1) There is established on the books of the Treasury a
18 fund to be known as the “Installation Efficiency Project
19 Fund” (in this subsection referred to as the “Fund”).

20 (2) There shall be deposited in the Fund all cash
21 rents, payments, reimbursements, proceeds and other
22 amounts from leases, sales, or other conveyances or trans-
23 fers, joint activities, and other actions taken under the Ini-
24 tiative.

1 (3) To the extent provided in advance in authoriza-
2 tion Acts and appropriations Acts, amounts in the Fund
3 shall be available to the Secretary concerned for purposes
4 of managing capital assets and providing support services
5 at installations participating in the Initiative. Amounts in
6 the Fund may be used for such purposes in addition to,
7 or in combination with, other amounts authorized to ap-
8 propriated for such purposes. Amounts in the Fund shall
9 be available for such purposes for five years.

10 (4) Subject to applicable financial management regu-
11 lations, the Secretary of Defense shall structure the Fund,
12 and provide administrative policies and procedures, in
13 order provide proper control of deposits in and disburse-
14 ments from the Fund.

15 (e) TERMINATION.—The authority of the Secretary
16 to carry out the Initiative shall terminate four years after
17 the date of the enactment of this Act.

18 (f) REPORT.—Not later than three years after the
19 date of the enactment of this Act, the Secretary shall sub-
20 mit to the committees of Congress referred to in sub-
21 section (b)(2) a report on the Initiative. The report shall
22 contain a description of the actions taken under the Initia-
23 tive and include such other information, including rec-
24 ommendations, as the Secretary considers appropriate in
25 light of the Initiative.

1 **SEC. 2813. DEMONSTRATION PROGRAM ON REDUCTION IN**
2 **LONG-TERM FACILITY MAINTENANCE COSTS.**

3 (a) **AUTHORITY TO CARRY OUT PROGRAM.**—Subject
4 to the provisions of this section, the Secretary of the Army
5 may conduct a demonstration program to assess the feasi-
6 bility and desirability of including facility maintenance re-
7 quirements in construction contracts for military construc-
8 tion projects. The purpose of the demonstration program
9 is to determine whether or not such requirements facilitate
10 reductions in the long-term facility maintenance costs of
11 the military departments.

12 (b) **CONTRACTS.**—(1) The demonstration program
13 shall cover contracts entered into on or after the date of
14 the enactment of this Act.

15 (2) Not more than three contracts entered into in any
16 year may contain requirements referred to in subsection
17 (a) for the purpose of the demonstration program.

18 (c) **EFFECTIVE PERIOD OF REQUIREMENTS.**—The
19 effective period of a requirement referred to in subsection
20 (a) that is included in a contract for the purpose of the
21 demonstration program shall be any period elected by the
22 Secretary not in excess of five years.

23 (d) **REPORTS.**—(1) Not later than January 31, 2003,
24 and annually thereafter until the year following the ces-
25 sation of effectiveness of any requirements referred to in
26 subsection (a) in contracts under the demonstration pro-

1 gram, the Secretary shall submit to the congressional de-
2 fense committees a report on the demonstration program.

3 (2) Each report under paragraph (1) shall include,
4 for the year covered by such report, the following:

5 (A) A description of the contracts entered into
6 during the year that contain requirements referred
7 to in subsection (a) for the purpose of the dem-
8 onstration program.

9 (B) The experience of the Secretary during the
10 year with respect to any contracts containing re-
11 quirements referred to in subsection (a) for the pur-
12 pose of the demonstration program that were in
13 force during the year.

14 (3) The final report under this subsection shall in-
15 clude, in addition to the matters required under paragraph
16 (2), an evaluation of the demonstration program and any
17 recommendations, including recommendations for the ter-
18 mination, continuation, or expansion of the demonstration
19 program, that the Secretary considers appropriate.

20 (e) EXPIRATION.—The authority under subsection
21 (a) to include requirements referred to in that subsection
22 in contracts under the demonstration program shall expire
23 on September 30, 2006.

24 (f) FUNDING.—Amounts authorized to be appro-
25 priated for the Army for a fiscal year for military con-

1 struction shall be available for the demonstration program
 2 under this section in such fiscal year.

3 **Subtitle C—Land Conveyances**

4 **SEC. 2821. LAND CONVEYANCE, ENGINEER PROVING** 5 **GROUND, FORT BELVOIR, VIRGINIA.**

6 (a) CONVEYANCE AUTHORIZED.—The Secretary of
 7 the Army may convey to the Commonwealth of Virginia
 8 (in this section referred to as the “Commonwealth”) all
 9 right, title, and interest of United States in and to two
 10 parcels of real property, including any improvements
 11 thereon, located at the Engineer Proving Ground, Fort
 12 Belvoir, Virginia, as follows:

13 (1) The parcel, consisting of approximately 170
 14 acres, that is to be used for a portion of the Fairfax
 15 County Parkway, including for construction of that
 16 portion of the parkway.

17 (2) The parcel, consisting of approximately
 18 11.45 acres, that is subject to an easement pre-
 19 viously granted to the Commonwealth as Army ease-
 20 ment DACA 31–3–96–440 for the construction of a
 21 portion of Interstate Highway 95.

22 (b) CONSIDERATION.—As consideration for the con-
 23 veyance under subsection (a), the Commonwealth shall—

1 (1) design and construct, at its expense and for
2 public benefit, the portion of the Fairfax County
3 Parkway through the Engineer Proving Ground;

4 (2) provide a conceptual design for eventual in-
5 corporation and construction by others of access into
6 the Engineer Proving Ground at the Rolling Road
7 Interchange from Fairfax County Parkway as speci-
8 fied in Virginia Department of Transportation
9 Project #R000-029-249, C514;

10 (3) provide such easements or rights of way for
11 utilities under or across the Fairfax County Park-
12 way as the Secretary considers appropriate for the
13 optimum development of the Engineer Proving
14 Ground; and

15 (4) pay the United States an amount, jointly
16 determined by the Secretary and the Commonwealth,
17 appropriate to cover the costs of constructing a re-
18 placement building for Building 5089 located on the
19 Engineer Proving Ground.

20 (c) RESPONSIBILITY FOR ENVIRONMENTAL CLEAN-
21 UP.—The Secretary shall retain liability under the Com-
22 prehensive Environmental Response, Compensation, and
23 Liability Act of 1980 (42 U.S.C. 9601 et seq.), and any
24 other applicable environmental statute or regulation, for
25 any environmental hazard on the property conveyed under

1 subsection (a) as of the date of the conveyance under that
2 subsection.

3 (d) ACCEPTANCE AND DISPOSITION OF FUNDS.—(1)

4 The Secretary of the Army may accept the funds paid by
5 the Commonwealth as consideration under subsection
6 (b)(4) and shall credit the accepted funds to the appro-
7 priation or appropriations that are appropriate for paying
8 the costs of the replacement of Building 5089, located on
9 the Engineer Proving Ground, Fort Belvoir, Virginia, con-
10 sistent with paragraphs (2) and (3) of this subsection.

11 (2) Funds accepted under paragraph (1) shall be
12 available, until expended, for the replacement of Building
13 5089.

14 (3) Funds appropriated pursuant to the authorization
15 of appropriations in section 301(1), and funds appro-
16 priated pursuant to the authorization of appropriations in
17 section 2104(a)(4), shall be available in accordance with
18 section 2805 of title 10, United States Code, for the ex-
19 cess, if any, of the cost of the replacement of Building
20 5089 over the amount available for such project under
21 paragraph (2).

22 (e) DESCRIPTION OF PROPERTY.—(1) The exact
23 acreage and legal description of the real property to be
24 conveyed under subsection (a)(1) shall be determined by

1 a survey satisfactory to the Secretary. The cost of the sur-
 2 vey shall be borne by the Commonwealth.

3 (2) The exact acreage and legal description of the real
 4 property to be conveyed under subsection (a)(2) are as set
 5 forth in Army easement DACA 31–3–96–440.

6 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
 7 retary may require such additional terms and conditions
 8 in connection with the conveyance under subsection (a) as
 9 the Secretary considers appropriate to protect the inter-
 10 ests of the United States.

11 **SEC. 2822. MODIFICATION OF AUTHORITY FOR CONVEY-**
 12 **ANCE OF NAVAL COMPUTER AND TELE-**
 13 **COMMUNICATIONS STATION, CUTLER, MAINE.**

14 Section 2853(a) of the Military Construction Author-
 15 ization Act for Fiscal Year 2001 (division B of the Floyd
 16 D. Spence National Defense Authorization Act for Fiscal
 17 Year 2001 (as enacted by Public Law 106–398); 114 Stat.
 18 1654A–430) is amended by inserting “any or” before “all
 19 right”.

20 **SEC. 2823. LAND TRANSFER AND CONVEYANCE, NAVAL SE-**
 21 **CURITY GROUP ACTIVITY, WINTER HARBOR,**
 22 **MAINE.**

23 (a) TRANSFER OF ADMINISTRATIVE JURISDIC-
 24 TION.—(1) The Secretary of the Navy may transfer to the
 25 Secretary of the Interior administrative jurisdiction of a

1 parcel of real property, including any improvements there-
2 on and appurtenances thereto, consisting of approximately
3 26 acres as generally depicted as Tract 15–116 on the
4 map entitled “Acadia National Park Schoodic Point
5 Area”, numbered 123/80,418 and dated May 2001. The
6 map shall be on file and available for inspection in the
7 appropriate offices of the National Park Service.

8 (2) The transfer authorized by this subsection shall
9 occur, if at all, concurrently with the reversion of adminis-
10 trative jurisdiction of a parcel of real property consisting
11 of approximately 71 acres, as depicted as Tract 15–115
12 on the map referred to in paragraph (1), from the Sec-
13 retary of the Navy to the Secretary of the Interior as au-
14 thorized by Public Law 80–260 (61 Stat. 519) and to be
15 executed on or about June 30, 2002.

16 (b) CONVEYANCE AUTHORIZED.—The Secretary of
17 the Navy may convey, without consideration, to the State
18 of Maine, any political subdivision of the State of Maine,
19 or any tax-supported agency in the State of Maine, all
20 right, title, and interest of the United States in and to
21 any of the parcels of real property, including any improve-
22 ments thereon and appurtenances thereto, consisting of
23 approximately 485 acres and comprising the former facili-
24 ties of the Naval Security Group Activity, Winter Harbor,
25 Maine, located in Hancock County, Maine, less the real

1 property described in subsection (a)(1), for the purpose
2 of economic redevelopment.

3 (c) TRANSFER OF PERSONAL PROPERTY.—The Sec-
4 retary of the Navy may transfer, without consideration,
5 to the Secretary of the Interior in the case of the real
6 property transferred under subsection (a), or to any recipi-
7 ent of such real property in the case of real property con-
8 veyed under subsection (b), any or all personal property
9 associated with such real property so transferred or con-
10 veyed, including any personal property required to con-
11 tinue the maintenance of the infrastructure of such real
12 property (including the generators for an uninterrupted
13 power supply in building 154 at the Corea site).

14 (d) MAINTENANCE OF PROPERTY PENDING CONVEY-
15 ANCE.—(1) The Secretary of the Navy shall maintain any
16 real property, including any improvements thereon, appur-
17 tenances thereto, and supporting infrastructure, to be con-
18 veyed under subsection (b) in accordance with the protec-
19 tion and maintenance standards specified in section 101–
20 47.4913 of title 41, Code of Federal Regulations, until the
21 earlier of—

22 (A) the date of the conveyance of such real
23 property under subsection (b); or

24 (B) September 30, 2003.

1 (2) The requirement in paragraph (1) shall not be
2 construed as authority to improve the real property, im-
3 provements, and infrastructure referred to in that para-
4 graph so as to bring such real property, improvements,
5 or infrastructure into compliance with any zoning or prop-
6 erty maintenance codes or to repair any damage to such
7 improvements and infrastructure through an Act of God.

8 (e) INTERIM LEASE.—(1) Until such time as any par-
9 cel of real property to be conveyed under subsection (b)
10 is conveyed by deed under that subsection, the Secretary
11 of the Navy may lease such parcel to any person or entity
12 determined by the Secretary to be an appropriate lessee
13 of such parcel.

14 (2) The amount of rent for a lease under paragraph
15 (1) shall be the amount determined by the Secretary to
16 be appropriate, and may be an amount less than the fair
17 market value of the lease.

18 (3) Notwithstanding any other provision of law, the
19 Secretary shall credit any amount received for a lease of
20 real property under paragraph (1) to the appropriation or
21 account providing funds for the operation and mainte-
22 nance of such property or for the procurement of utility
23 services for such property. Amounts so credited shall be
24 merged with funds in the appropriation or account to
25 which credited, and shall be available for the same pur-

1 poses, and subject to the same conditions and limitations,
2 as the funds with which merged.

3 (f) REIMBURSEMENT FOR ENVIRONMENTAL AND
4 OTHER ASSESSMENTS.—(1) The Secretary of the Navy
5 may require each recipient of real property conveyed under
6 subsection (b) to reimburse the Secretary for the costs in-
7 curred by the Secretary for any environmental assessment,
8 study, or analysis carried out by the Secretary with re-
9 spect to such property before completing the conveyance
10 under that subsection.

11 (2) The amount of any reimbursement required under
12 paragraph (1) shall be determined by the Secretary, but
13 may not exceed the cost of the assessment, study, or anal-
14 ysis for which reimbursement is required.

15 (3) Section 2695(c) of title 10, United States Code,
16 shall apply to any amount received by the Secretary under
17 this subsection.

18 (g) DESCRIPTION OF PROPERTY.—The exact acreage
19 and legal description of the real property transferred
20 under subsection (a), and each parcel of real property con-
21 veyed under subsection (b), shall be determined by a sur-
22 vey satisfactory to the Secretary of the Navy. The cost
23 of any survey under the preceding sentence for real prop-
24 erty conveyed under subsection (b) shall be borne by the
25 recipient of the real property.

1 (h) **ADDITIONAL TERMS AND CONDITIONS.**—The
2 Secretary of the Navy may require such additional terms
3 and conditions in connection with any conveyance under
4 subsection (b), and any lease under subsection (e), as the
5 Secretary considers appropriate to protect the interests of
6 the United States.

7 **SEC. 2824. CONVEYANCE OF SEGMENT OF LORING PETRO-**
8 **LEUM PIPELINE, MAINE, AND RELATED EASE-**
9 **MENTS.**

10 (a) **CONVEYANCE AUTHORIZED.**—The Secretary of
11 the Air Force may convey, without consideration, to the
12 Loring Development Authority, Maine (in this section re-
13 ferred to as the “Authority”), all right, title, and interest
14 of the United States in and to the segment of the Loring
15 Petroleum (POL) Pipeline, Maine, consisting of approxi-
16 mately 27 miles in length and running between the
17 Searsport terminal and Bangor Air National Guard Base.

18 (b) **RELATED EASEMENTS.**—As part of the convey-
19 ance authorized by subsection (a), the Secretary may con-
20 vey to the Authority, without consideration, all right, title,
21 and interest of the United States in and to any easements
22 or rights-of-way necessary for the operation or mainte-
23 nance of the segment of pipeline conveyed under that sub-
24 section.

1 (c) REIMBURSEMENT FOR COSTS OF CONVEY-
2 ANCE.—(1) The Authority shall reimburse the Secretary
3 for the costs incurred by the Secretary for any environ-
4 mental assessment, study, or analysis, or for any other
5 expense incurred by the Secretary, for a conveyance au-
6 thorized by this section.

7 (2) The amount of the reimbursement under para-
8 graph (1) for an activity shall be determined by the Sec-
9 retary, but may not exceed the cost of the activity.

10 (3) Section 2695(c) of title 10, United States Code,
11 shall apply to any amount received by the Secretary under
12 this subsection.

13 (d) DESCRIPTION OF PROPERTY.—The exact acreage
14 and legal description of the segment of pipeline conveyed
15 under subsection (a), and of any easements or rights-of-
16 way conveyed under subsection (b), shall be determined
17 by surveys and other means satisfactory to the Secretary.
18 The cost of any survey or other services performed at the
19 direction of the Secretary under the preceding sentence
20 shall be borne by the Authority.

21 (e) ADDITIONAL TERMS AND CONDITIONS.—The
22 Secretary may require such additional terms and condi-
23 tions in connection with the conveyances under this section
24 as the Secretary considers appropriate to protect the inter-
25 ests of the United States.

1 **SEC. 2825. LAND CONVEYANCE, PETROLEUM TERMINAL**
2 **SERVING FORMER LORING AIR FORCE BASE**
3 **AND BANGOR AIR NATIONAL GUARD BASE,**
4 **MAINE.**

5 (a) CONVEYANCE AUTHORIZED.—(1) The Secretary
6 of the Air Force may convey to the Maine Port Authority
7 of the State of Maine (in this section referred to as the
8 “Authority”) all right, title, and interest of the United
9 States in and to the Petroleum Terminal (POL) at Mack
10 Point, Searsport, Maine, which served former Loring Air
11 Force Base and Bangor Air National Guard Base, Maine.

12 (2) The conveyance under paragraph (1) may include
13 the following:

14 (A) A parcel of real property, including any im-
15 provements thereon, consisting of approximately 20
16 acres and comprising a portion of the Petroleum
17 Terminal.

18 (B) Any additional fuel tanks, other improve-
19 ments, and equipment located on the 43-acre parcel
20 of property adjacent to the property described in
21 subparagraph (A), and currently leased by the Sec-
22 retary, which constitutes the remaining portion of
23 the Petroleum Terminal.

24 (b) CONDITION OF CONVEYANCE.—The Secretary
25 may not make the conveyance under subsection (a) unless
26 the Authority agrees to utilize the property to be conveyed

1 under that subsection solely for economic development
2 purposes.

3 (c) CONSIDERATION.—(1) As consideration for the
4 conveyance under subsection (a), the Authority shall lease
5 to the Air Force approximately one acre of the real prop-
6 erty conveyed under that subsection, together with any im-
7 provements thereon, that constitutes the Aerospace Fuels
8 Laboratory (also known as Building 14).

9 (2) The real property leased under this subsection
10 shall include the parking lot, outbuildings, and other im-
11 provements associated with the Aerospace Fuels Labora-
12 tory and such easements of ingress and egress to the real
13 property, including easements for utilities, as are required
14 for the operations of the Aerospace Fuels Laboratory.

15 (3) As part of the lease of real property under this
16 subsection, the Authority shall maintain around the real
17 property for the term of the lease a zone, not less than
18 75 feet in depth, free of improvements or encumbrances.

19 (4) The lease under this subsection shall be without
20 cost to the United States.

21 (5) The term of the lease under this subsection may
22 not exceed 25 years. If operations at the Aerospace Fuels
23 Laboratory cease before the expiration of the term of the
24 lease otherwise provided for under this subsection, the

1 lease shall be deemed to have expired upon the cessation
2 of such operations.

3 (d) CONVEYANCE CONTINGENT ON EXPIRATION OF
4 LEASE OF FUEL TANKS.—The Secretary may not make
5 the conveyance under subsection (a) until the expiration
6 of the lease referred to in paragraph (2)(B) of that sub-
7 section.

8 (e) ENVIRONMENTAL REMEDIATION.—The Secretary
9 may not make the conveyance under subsection (a) until
10 the completion of any environmental remediation required
11 by law with respect to the property to be conveyed under
12 that subsection.

13 (f) REIMBURSEMENT FOR COSTS OF CONVEYANCE.—
14 (1) The Authority shall reimburse the Secretary for the
15 costs incurred by the Secretary for any environmental as-
16 sessment, study, or analysis, or for any other expense in-
17 curred by the Secretary, for the conveyance authorized by
18 subsection (a).

19 (2) The amount of the reimbursement under para-
20 graph (1) for an activity shall be determined by the Sec-
21 retary, but may not exceed the cost of the activity.

22 (3) Section 2695(c) of title 10, United States Code,
23 shall apply to any amount received by the Secretary under
24 this subsection.

1 (g) DESCRIPTION OF PROPERTY.—The exact acreage
 2 and legal description of the real property conveyed under
 3 subsection (a) shall be determined by a survey satisfactory
 4 to the Secretary. The cost of the survey shall be borne
 5 by the Authority.

6 (h) ADDITIONAL TERMS AND CONDITIONS.—The
 7 Secretary may require such additional terms and condi-
 8 tions in connection with the conveyance under subsection
 9 (a), and the lease under subsection (c), as the Secretary
 10 considers appropriate to protect the interests of the
 11 United States.

12 **SEC. 2826. LAND CONVEYANCE, NAVAL WEAPONS INDUS-**
 13 **TRIAL RESERVE PLANT, TOLEDO, OHIO.**

14 (a) CONVEYANCE AUTHORIZED.—(1) The Secretary
 15 of the Navy may convey, without consideration, to the To-
 16 ledo-Lucas County Port Authority, Ohio (in this section
 17 referred to as the “Port Authority”), any or all right, title,
 18 and interest of the United States in and to a parcel of
 19 real property, including any improvements thereon, con-
 20 sisting of approximately 29 acres and comprising the
 21 Naval Weapons Industrial Reserve Plant, Toledo, Ohio.

22 (2) The Secretary may include in the conveyance
 23 under paragraph (1) such facilities, equipment, fixtures,
 24 and other personal property located or based on the parcel
 25 conveyed under that paragraph, or used in connection with

1 the parcel, as the Secretary determines to be excess to the
2 Navy.

3 (b) LEASE AUTHORITY.—Until such time as the real
4 property described in subsection (a)(1) is conveyed by
5 deed, the Secretary may lease such real property, and any
6 personal property described in subsection (a)(2), to the
7 Port Authority in exchange for such security, fire protec-
8 tion, and maintenance services as the Secretary considers
9 appropriate.

10 (c) CONDITIONS OF CONVEYANCE.—The conveyance
11 under subsection (a), and any lease under subsection (b),
12 shall be subject to the conditions that the Port
13 Authority—

14 (1) accept the real and personal property con-
15 cerned in their condition at the time of the convey-
16 ance or lease, as the case may be; and

17 (2) except as provided in subsection (d), use the
18 real and personal property concerned, whether di-
19 rectly or through an agreement with a public or pri-
20 vate entity, for economic development or such other
21 public purposes as the Port Authority considers ap-
22 propriate.

23 (d) SUBSEQUENT USE.—(1) The Port Authority
24 may, following entry into a lease under subsection (b) for
25 real property, personal property, or both, sublease such

1 property for a purpose set forth in subsection (c)(2) if the
2 Secretary approves the sublease of such property for that
3 purpose.

4 (2) The Port Authority may, following the conveyance
5 of real property under subsection (a), lease or reconvey
6 such real property, and any personal property conveyed
7 with such real property under that subsection, for a pur-
8 pose set forth in subsection (c)(2).

9 (e) REIMBURSEMENT FOR COSTS OF CONVEYANCE
10 AND LEASE.—(1) The Port Authority shall reimburse the
11 Secretary for the costs incurred by the Secretary for any
12 environmental assessment, study, or analysis, or for any
13 other expense incurred by the Secretary, for the convey-
14 ance authorized by subsection (a) or any lease authorized
15 by subsection (b).

16 (2) The amount of the reimbursement under para-
17 graph (1) for an activity shall be determined by the Sec-
18 retary, but may not exceed the cost of the activity.

19 (3) Section 2695(c) of title 10, United States Code,
20 shall apply to any amount received by the Secretary under
21 this subsection.

22 (f) DESCRIPTION OF PROPERTY.—The exact acreage
23 and legal of the real property to be conveyed under sub-
24 section (a)(1), and an appropriate inventory or other de-
25 scription of the personal property to be conveyed under

1 subsection (a)(2), shall be determined by a survey and
 2 other means satisfactory to the Secretary.

3 (g) ADDITIONAL TERMS AND CONDITIONS.—The
 4 Secretary may require such additional terms and condi-
 5 tions in connection with the conveyance under subsection
 6 (a)(1), and any lease under subsection (b), as the Sec-
 7 retary considers appropriate to protect the interests of the
 8 United States.

9 **Subtitle D—Other Matters**

10 **SEC. 2841. DEVELOPMENT OF UNITED STATES ARMY HERIT-** 11 **AGE AND EDUCATION CENTER AT CARLISLE** 12 **BARRACKS, PENNSYLVANIA.**

13 (a) AUTHORITY TO ENTER INTO PARTNERSHIP.—

14 (1) The Secretary of the Army may enter into a partner-
 15 ship with the Military Heritage Foundation, a not-for-
 16 profit organization, for the design, construction, and oper-
 17 ation of a facility for the United States Army Heritage
 18 and Education Center at Carlisle Barracks, Pennsylvania.

19 (2) The facility is to be used for curation and storage
 20 of artifacts, research facilities, classrooms, and offices,
 21 and for education and other activities, relating to the her-
 22 itage of the Army. The facility may also be used to support
 23 such education and training as the Secretary considers ap-
 24 propriate.

1 (b) DESIGN AND CONSTRUCTION.—The Secretary
2 may accept funds from the Military Heritage Foundation
3 for the design and construction of the facility for the
4 United States Army Heritage and Education Center re-
5 ferred to in subsection (a).

6 (c) ACCEPTANCE OF FACILITY.—(1) Upon comple-
7 tion of the facility referred to subsection (a), and upon
8 the satisfaction of any and all financial obligations inci-
9 dent thereto by the Military Heritage Foundation, the
10 Secretary shall accept the facility from the Military Herit-
11 age Foundation, and all right, title, and interest in and
12 to the facility shall vest in the United States.

13 (2) Upon becoming property of the United States, the
14 facility shall be under the jurisdiction of the Secretary.

15 (d) USE OF CERTAIN GIFTS.—(1) Under regulations
16 prescribed by the Secretary, the Commandant of the Army
17 War College may, without regard to section 2601 of title
18 10, United States Code, accept, hold, administer, invest,
19 and spend any gift, devise, or bequest of personnel prop-
20 erty of a value of \$250,000 or less made to the United
21 States if such gift, devise, or bequest is for the benefit
22 of the United States Army Heritage and Education Cen-
23 ter.

24 (2) The Secretary may pay or authorize the payment
25 of any reasonable and necessary expense in connection

1 with the conveyance or transfer of a gift, devise, or be-
 2 quest under this subsection.

3 (e) ADDITIONAL TERMS AND CONDITIONS.—The
 4 Secretary may require such additional terms and condi-
 5 tions in connection with the partnership authorized to be
 6 entered into by subsection (a) as the Secretary considers
 7 appropriate to protect the interest of the United States.

8 **SEC. 2842. LIMITATION ON AVAILABILITY OF FUNDS FOR**
 9 **RENOVATION OF THE PENTAGON RESERVA-**
 10 **TION.**

11 (a) CONSTRUCTION OF SECURE SECRETARIAL OF-
 12 FICES AND SUPPORT FACILITIES.—No funds authorized
 13 to be appropriated by this Act, or any other Act, may be
 14 obligated or expended for construction of secure secre-
 15 tarial offices and support facilities at the Pentagon Res-
 16 ervation until the Secretary of Defense makes a certifi-
 17 cation to the congressional defense committees described
 18 in subsection (c).

19 (b) RENOVATION OF PENTAGON RESERVATION.—Of
 20 the amounts authorized to be appropriated by this Act and
 21 any other Act for the purpose of the renovation of the
 22 Pentagon Reservation, not more than \$1,158,000,000
 23 may be obligated or expended for that purposes until the
 24 Secretary makes a certification to the congressional de-
 25 fense committees described in subsection (c).

1 (c) CERTIFICATION.—A certification described in this
2 subsection is a certification that the Defense Threat Re-
3 duction Agency has—

4 (1) reviewed plans for construction of secure
5 secretarial offices and support facilities at the Pen-
6 tagon Reservation; and

7 (2) determined that construction of such offices
8 and facilities in accordance with such plans would
9 meet all applicable force protection requirements.

10 **SEC. 2843. NAMING OF PATRICIA C. LAMAR ARMY NA-**
11 **TIONAL GUARD READINESS CENTER, OX-**
12 **FORD, MISSISSIPPI.**

13 (a) DESIGNATION.—The Oxford Army National
14 Guard Readiness Center, Oxford, Mississippi, shall be
15 known and designated as the “Patricia C. Lamar Army
16 National Guard Readiness Center”.

17 (b) REFERENCE TO READINESS CENTER.—Any ref-
18 erence to the Oxford Army National Guard Readiness
19 Center, Oxford, Mississippi, in any law, regulation, map,
20 document, record, or other paper of the United States
21 shall be considered to be a reference to the Patricia C.
22 Lamar Army National Guard Readiness Center.

1 **TITLE XXIX—DEFENSE BASE**
 2 **CLOSURE AND REALIGNMENT**
 3 **Subtitle A—Modifications of 1990**
 4 **Base Closure Law**

5 **SEC. 2901. AUTHORITY TO CARRY OUT BASE CLOSURE**
 6 **ROUND IN 2003.**

7 (a) COMMISSION MATTERS.—

8 (1) APPOINTMENT.—Section 2902(c)(1) of the
 9 Defense Base Closure and Realignment Act of 1990
 10 (part A of title XXIX of Public Law 101–510; 10
 11 U.S.C. 2687 note) is amended—

12 (A) in subparagraph (B)—

13 (i) by striking “and” at the end of
 14 clause (ii);

15 (ii) by striking the period at the end
 16 of clause (iii) and inserting “; and”; and

17 (iii) by adding at the end the fol-
 18 lowing new clause:

19 “(iv) by no later than January 24, 2003, in the
 20 case of members of the Commission whose terms will
 21 expire at the end of the first session of the 108th
 22 Congress.”; and

23 (B) in subparagraph (C), by striking “or
 24 for 1995 in clause (iii) of such subparagraph”
 25 and inserting “, for 1995 in clause (iii) of that

1 subparagraph, or for 2003 in clause (iv) of that
2 subparagraph”.

3 (2) MEETINGS.—Section 2902(e) of that Act is
4 amended by striking “and 1995” and inserting
5 “1995, and 2003”.

6 (3) FUNDING.—Section 2902(k) of that Act is
7 amended by adding at the end the following new
8 paragraph (4):

9 “(4) If no funds are appropriated to the Commission
10 by the end of the second session of the 107th Congress
11 for the activities of the Commission in 2003, the Secretary
12 may transfer to the Commission for purposes of its activi-
13 ties under this part in that year such funds as the Com-
14 mission may require to carry out such activities. The Sec-
15 retary may transfer funds under the preceding sentence
16 from any funds available to the Secretary. Funds so trans-
17 ferred shall remain available to the Commission for such
18 purposes until expended.”.

19 (4) TERMINATION.—Section 2902(l) of that Act
20 is amended by striking “December 31, 1995” and
21 inserting “December 31, 2003”.

22 (b) PROCEDURES.—

23 (1) FORCE-STRUCTURE PLAN.—Section 2903(a)
24 of that Act is amended—

1 (A) by redesignating paragraphs (2) and
2 (3) as paragraphs (3) and (4), respectively;

3 (B) by inserting after paragraph (1) the
4 following new paragraph (2):

5 “(2)(A) As part of the budget justification documents
6 submitted to Congress in support of the budget for the
7 Department of Defense for fiscal year 2003, the Secretary
8 shall include a force-structure plan for the Armed Forces
9 based on the assessment of the Secretary in the quadren-
10 nial defense review under section 118 of title 10, United
11 States Code, in 2001 of the probable threats to the na-
12 tional security during the twenty-year period beginning
13 with fiscal year 2003.

14 “(B) The Secretary may revise the force-structure
15 plan submitted under subparagraph (A). If the Secretary
16 revises the force-structure plan, the Secretary shall submit
17 the revised force-structure plan to Congress as part of the
18 budget justification documents submitted to Congress in
19 support of the budget for the Department of Defense for
20 fiscal year 2004.”; and

21 (C) in paragraph (3), as redesignated by
22 subparagraph (A) of this paragraph—

23 (i) in the matter preceding subpara-
24 graph (A), by striking “Such plan” and in-

1 serting “Each force-structure plan under
2 this subsection”; and

3 (ii) in subparagraph (A), by striking
4 “referred to in paragraph (1)” and insert-
5 ing “on which such force-structure plan is
6 based”.

7 (2) SELECTION CRITERIA.—Section 2903(b) of
8 that Act is amended—

9 (A) in paragraph (1), by inserting “and by
10 no later than December 31, 2001, for purposes
11 of activities of the Commission under this part
12 in 2003,” after “December 31, 1990,”; and

13 (B) in paragraph (2)(A)—

14 (i) in the first sentence, by inserting
15 “and by no later than February 15, 2002,
16 for purposes of activities of the Commis-
17 sion under this part in 2003,” after “Feb-
18 ruary 15, 1991,”; and

19 (ii) in the second sentence, by insert-
20 ing “, or enacted on or before March 31,
21 2002, in the case of criteria published and
22 transmitted under the preceding sentence
23 in 2001” after “March 15, 1991”.

24 (3) DEPARTMENT OF DEFENSE RECOMMENDA-
25 TIONS.—Section 2903(c)(1) of that Act is amended

1 by striking “and March 1, 1995” and inserting
 2 “March 1, 1995, and March 14, 2003”.

3 (4) COMMISSION REVIEW AND RECOMMENDA-
 4 TIONS.—Section 2903(d) of that Act is amended—

5 (A) in paragraph (2)(A), by inserting “or
 6 by no later than July 7 in the case of rec-
 7 ommendations in 2003,” after “pursuant to
 8 subsection (c),”;

9 (B) in paragraph (4), by inserting “or
 10 after July 7 in the case of recommendations in
 11 2003,” after “under this subsection,”; and

12 (C) in paragraph (5)(B), by inserting “or
 13 by no later than May 1 in the case of such rec-
 14 ommendations in 2003,” after “such rec-
 15 ommendations,”.

16 (5) REVIEW BY PRESIDENT.—Section 2903(e)
 17 of that Act is amended—

18 (A) in paragraph (1), by inserting “or by
 19 no later than July 22 in the case of rec-
 20 ommendations in 2003,” after “under sub-
 21 section (d),”;

22 (B) in the second sentence of paragraph
 23 (3), by inserting “or by no later than August
 24 18 in the case of 2003,” after “the year con-
 25 cerned,”; and

1 (C) in paragraph (5), by inserting “or by
 2 September 3 in the case of recommendations in
 3 2003,” after “under this part,”.

4 (c) RELATIONSHIP TO OTHER BASE CLOSURE AU-
 5 THORITY.—Section 2909(a) of that Act is amended by
 6 striking “December 31, 1995,” and inserting “December
 7 31, 2003,”.

8 **SEC. 2902. BASE CLOSURE ACCOUNT 2003.**

9 (a) ESTABLISHMENT.—The Defense Base Closure
 10 and Realignment Act of 1990 (part A of title XXIX of
 11 Public Law 101–510; 10 U.S.C. 2687 note) is amended
 12 by inserting after section 2906 the following new section:

13 **“SEC. 2906A. BASE CLOSURE ACCOUNT 2003.**

14 “(a) IN GENERAL.—(1) There is hereby established
 15 on the books of the Treasury an account to be known as
 16 the ‘Department of Defense Base Closure Account 2003’
 17 (in this section referred to as the ‘Account’). The Account
 18 shall be administered by the Secretary as a single account.

19 “(2) There shall be deposited into the Account—

20 “(A) funds authorized for and appropriated to
 21 the Account;

22 “(B) any funds that the Secretary may, subject
 23 to approval in an appropriation Act, transfer to the
 24 Account from funds appropriated to the Department
 25 of Defense for any purpose, except that such funds

1 may be transferred only after the date on which the
2 Secretary transmits written notice of, and justifica-
3 tion for, such transfer to the congressional defense
4 committees; and

5 “(C) except as provided in subsection (d), pro-
6 ceeds received from the lease, transfer, or disposal of
7 any property at a military installation that is closed
8 or realigned under this part pursuant to a closure or
9 realignment the date of approval of which is after
10 September 30, 2003.

11 “(3) The Account shall be closed at the time and in
12 the manner provided for appropriation accounts under sec-
13 tion 1555 of title 31, United States Code. Unobligated
14 funds which remain in the Account upon closure shall be
15 held by the Secretary of the Treasury until transferred
16 by law after the congressional defense committees receive
17 the final report transmitted under subsection (c)(2).

18 “(b) USE OF FUNDS.—(1) The Secretary may use
19 the funds in the Account only for the purposes described
20 in section 2905 with respect to military installations the
21 date of approval of closure or realignment of which is after
22 September 30, 2003.

23 “(2) When a decision is made to use funds in the
24 Account to carry out a construction project under section
25 2905(a) and the cost of the project will exceed the max-

1 imum amount authorized by law for a minor military con-
2 struction project, the Secretary shall notify in writing the
3 congressional defense committees of the nature of, and
4 justification for, the project and the amount of expendi-
5 tures for such project. Any such construction project may
6 be carried out without regard to section 2802(a) of title
7 10, United States Code.

8 “(c) REPORTS.—(1)(A) No later than 60 days after
9 the end of each fiscal year in which the Secretary carries
10 out activities under this part using amounts in the Ac-
11 count, the Secretary shall transmit a report to the con-
12 gressional defense committees of the amount and nature
13 of the deposits into, and the expenditures from, the Ac-
14 count during such fiscal year and of the amount and na-
15 ture of other expenditures made pursuant to section
16 2905(a) during such fiscal year.

17 “(B) The report for a fiscal year shall include the
18 following:

19 “(i) The obligations and expenditures from the
20 Account during the fiscal year, identified by sub-
21 account, for each military department and Defense
22 Agency.

23 “(ii) The fiscal year in which appropriations for
24 such expenditures were made and the fiscal year in
25 which funds were obligated for such expenditures.

1 “(iii) Each military construction project for
2 which such obligations and expenditures were made,
3 identified by installation and project title.

4 “(iv) A description and explanation of the ex-
5 tent, if any, to which expenditures for military con-
6 struction projects for the fiscal year differed from
7 proposals for projects and funding levels that were
8 included in the justification transmitted to Congress
9 under section 2907(1), or otherwise, for the funding
10 proposals for the Account for such fiscal year, in-
11 cluding an explanation of—

12 “(I) any failure to carry out military con-
13 struction projects that were so proposed; and

14 “(II) any expenditures for military con-
15 struction projects that were not so proposed.

16 “(2) No later than 60 days after the termination of
17 the authority of the Secretary to carry out a closure or
18 realignment under this part with respect to military instal-
19 lations the date of approval of closure or realignment of
20 which is after September 30, 2003, and no later than 60
21 days after the closure of the Account under subsection
22 (a)(3), the Secretary shall transmit to the congressional
23 defense committees a report containing an accounting
24 of—

1 “(A) all the funds deposited into and expended
2 from the Account or otherwise expended under this
3 part with respect to such installations; and

4 “(B) any amount remaining in the Account.

5 “(d) DISPOSAL OR TRANSFER OF COMMISSARY
6 STORES AND PROPERTY PURCHASED WITH NON-
7 APPROPRIATED FUNDS.—(1) If any real property or facil-
8 ity acquired, constructed, or improved (in whole or in part)
9 with commissary store funds or nonappropriated funds is
10 transferred or disposed of in connection with the closure
11 or realignment of a military installation under this part
12 the date of approval of closure or realignment of which
13 is after September 30, 2003, a portion of the proceeds
14 of the transfer or other disposal of property on that instal-
15 lation shall be deposited in the reserve account established
16 under section 204(b)(7)(C) of the Defense Authorization
17 Amendments and Base Closure and Realignment Act (10
18 U.S.C. 2687 note).

19 “(2) The amount so deposited shall be equal to the
20 depreciated value of the investment made with such funds
21 in the acquisition, construction, or improvement of that
22 particular real property or facility. The depreciated value
23 of the investment shall be computed in accordance with
24 regulations prescribed by the Secretary of Defense.

1 “(3) The Secretary may use amounts in the account
 2 (in such an aggregate amount as is provided in advance
 3 in appropriation Acts) for the purpose of acquiring, con-
 4 structing, and improving—

5 “(A) commissary stores; and

6 “(B) real property and facilities for non-
 7 appropriated fund instrumentalities.

8 “(4) In this subsection, the terms ‘commissary store
 9 funds’, ‘nonappropriated funds’, and ‘nonappropriated
 10 fund instrumentality’ shall have the meaning given those
 11 terms in section 2906(d)(4).

12 “(e) ACCOUNT EXCLUSIVE SOURCE OF FUNDS FOR
 13 ENVIRONMENTAL RESTORATION PROJECTS.—Except as
 14 provided in section 2906(e) with respect to funds in the
 15 Department of Defense Base Closure Account 1990 under
 16 section 2906 and except for funds deposited into the Ac-
 17 count under subsection (a), funds appropriated to the De-
 18 partment of Defense may not be used for purposes de-
 19 scribed in section 2905(a)(1)(C). The prohibition in this
 20 subsection shall expire upon the closure of the Account
 21 under subsection (a)(3).”.

22 (b) CONFORMING AMENDMENTS.—Section 2906 of
 23 that Act is amended—

24 (1) in subsection (a)(2)(C), by inserting “the
 25 date of approval of closure or realignment of which

1 is before September 30, 2003” after “under this
2 part”;

3 (2) in subsection (b)(1), by inserting “with re-
4 spect to military installations the date of approval of
5 closure or realignment of which is before September
6 30, 2003,” after “section 2905”;

7 (3) in subsection (c)(2)—

8 (A) in the matter preceding subparagraph
9 (A), by inserting “with respect to military in-
10 stallations the date of approval of closure or re-
11 alignment of which is before September 30,
12 2003,” after “under this part”; and

13 (B) in subparagraph (A), by inserting
14 “with respect to such installations” after
15 “under this part”;

16 (4) in subsection (d)(1), by inserting “the date
17 of approval of closure or realignment of which is be-
18 fore September 30, 2003” after “under this part”;
19 and

20 (5) in subsection (e), by striking “Except for”
21 and inserting “Except as provided in section
22 2906A(e) with respect to funds in the Department
23 of Defense Base Closure Account 2001 under sec-
24 tion 2906A and except for”.

1 (c) CLERICAL AMENDMENT.—The section heading of
 2 section 2906 of that Act is amended to read as follows:

3 **“SEC. 2906. BASE CLOSURE ACCOUNT 1990.”.**

4 **SEC. 2903. ADDITIONAL MODIFICATIONS OF BASE CLOSURE**
 5 **AUTHORITIES.**

6 (a) INCREASE IN MEMBERS OF COMMISSION.—Sec-
 7 tion 2902(c)(1)(A) of the Defense Base Closure and Re-
 8 alignment Act of 1990 (part A of title XXIX of Public
 9 Law 101–510; 10 U.S.C. 2867 note) is amended by strik-
 10 ing “eight members” and inserting “nine members”.

11 (b) SELECTION CRITERIA.—Section 2903(b) of that
 12 Act is amended by adding at the end the following new
 13 paragraphs:

14 “(3) The selection criteria shall ensure that military
 15 value is the primary consideration in the making of rec-
 16 ommendations for the closure or realignment of military
 17 installations under this part.

18 “(4) Any selection criteria proposed by the Secretary
 19 relating to the cost savings or return on investment from
 20 the proposed closure or realignment of a military installa-
 21 tion shall take into account the effect of the proposed clo-
 22 sure or realignment on the costs of any other Federal
 23 agency that may be required to assume responsibility for
 24 activities at the military installation.”.

1 (c) DEPARTMENT OF DEFENSE RECOMMENDATIONS
 2 TO COMMISSION.—Section 2903(c) of that Act is
 3 amended—

4 (1) by redesignating paragraphs (1), (2), (3),
 5 (4), (5), and (6) as paragraphs (2), (3), (4), (6),
 6 (7), and (8), respectively;

7 (2) by inserting before paragraph (2), as so re-
 8 designated, the following new paragraph (1):

9 “(1) The Secretary shall carry out a comprehensive
 10 review of the military installations of the Department of
 11 Defense inside the United States based on the force-struc-
 12 ture plan submitted under subsection (a)(2), and the final
 13 criteria transmitted under subsection (b)(2), in 2002. The
 14 review shall cover every type of facility or other infrastruc-
 15 ture operated by the Department of Defense.”;

16 (3) in paragraph (4), as so redesignated—

17 (A) by redesignating subparagraphs (B)
 18 and (C) as subparagraphs (C) and (D), respec-
 19 tively;

20 (B) by inserting after subparagraph (A)
 21 the following new subparagraph (B):

22 “(B) In considering military installations for closure
 23 or realignment under this part in any year after 2001,
 24 the Secretary shall consider the anticipated continuing
 25 need for and availability of military installations world-

1 wide. In evaluating the need for military installations in-
 2 side the United States, the Secretary shall take into ac-
 3 count current restrictions on the use of military installa-
 4 tions outside the United States and the potential for fu-
 5 ture prohibitions or restrictions on the use of such military
 6 installations.”; and

7 (C) in subparagraph (D), as so redesign-
 8 nated, by striking “subparagraph (B)” and in-
 9 serting “subparagraph (C)”;

10 (4) by inserting after paragraph (4), as so re-
 11 designated, the following new paragraph (5):

12 “(5)(A) In making recommendations to the Commis-
 13 sion under this subsection in any year after 2001, the Sec-
 14 retary shall consider any notice received from a local gov-
 15 ernment in the vicinity of a military installation that the
 16 government would approve of the closure or realignment
 17 of the installation.

18 “(B) Notwithstanding the requirement in subpara-
 19 graph (A), the Secretary shall make the recommendations
 20 referred to in that subparagraph based on the force-struc-
 21 ture plan and final criteria otherwise applicable to such
 22 recommendations under this section.

23 “(C) The recommendations made by the Secretary
 24 under this subsection in any year after 2001 shall include
 25 a statement of the result of the consideration of any notice

1 described in subparagraph (A) that is received with re-
 2 spect to an installation covered by such recommendations.
 3 The statement shall set forth the reasons for the result.”;
 4 and

5 (5) in paragraph (8), as so redesignated—

6 (A) in the first sentence, by striking
 7 “paragraph (5)(B)” and inserting “paragraph
 8 (7)(B)”;

9 (B) in the second sentence, by striking “24
 10 hours” and inserting “48 hours”.

11 (d) COMMISSION CHANGES IN RECOMMENDATIONS
 12 OF SECRETARY.—Section 2903(d)(2) of that Act is
 13 amended—

14 (1) in subparagraph (B), by striking “if” and
 15 inserting “only if”;

16 (2) in subparagraph (C)—

17 (A) in clause (iii), by striking “and” at the
 18 end;

19 (B) in clause (iv), by striking the period at
 20 the end and inserting “; and”;

21 (C) by adding at the end the following new
 22 clause:

23 “(v) invites the Secretary to testify at a public
 24 hearing, or a closed hearing if classified information
 25 is involved, on the proposed change.”;

1 (3) by redesignating subparagraph (E) as sub-
2 paragraph (F); and

3 (4) by inserting after subparagraph (D) the fol-
4 lowing new subparagraph (E):

5 “(E) In the case of a change not described in sub-
6 paragraph (D) in the recommendations made by the Sec-
7 retary, the Commission may make the change only if the
8 Commission—

9 “(i) makes the determination required by sub-
10 paragraph (B);

11 “(ii) determines that the change is consistent
12 with the force-structure plan and final criteria re-
13 ferred to in subsection (c)(1); and

14 “(iii) invites the Secretary to testify at a public
15 hearing, or a closed hearing if classified information
16 is involved, on the proposed change.”.

17 (e) PRIVATIZATION IN PLACE.—Section 2904(a) of
18 that Act is amended—

19 (1) by redesignating paragraphs (3) and (4) as
20 paragraphs (4) and (5), respectively; and

21 (2) by inserting after paragraph (2) the fol-
22 lowing new paragraph (3):

23 “(3) carry out the privatization in place of a
24 military installation recommended for closure or re-
25 alignment by the Commission in each such report

1 after 2001 only if privatization in place is a method
 2 of closure or realignment of the installation specified
 3 in the recommendation of the Commission in such
 4 report and is determined by the Commission to be
 5 the most cost-effective method of implementation of
 6 the recommendation;”.

7 (f) IMPLEMENTATION.—

8 (1) PAYMENT FOR CERTAIN SERVICES FOR
 9 PROPERTY LEASED BACK BY THE UNITED
 10 STATES.—Section 2905(b)(4)(E) of that Act is
 11 amended—

12 (A) in clause (iii), by striking “A lease”
 13 and inserting “Except as provided in clause (v),
 14 a lease”; and

15 (B) by adding at the end the following new
 16 clause (v):

17 “(v)(I) Notwithstanding clause (iii), a lease under
 18 clause (i) may require the United States to pay the rede-
 19 velopment authority concerned, or the assignee of the re-
 20 development authority, for facility services and common
 21 area maintenance provided for the leased property by the
 22 redevelopment authority or assignee, as the case may be.

23 “(II) The rate charged the United States for services
 24 and maintenance provided by a redevelopment authority
 25 or assignee under subclause (I) may not exceed the rate

1 charged non-Federal tenants leasing property at the in-
 2 stallation for such services and maintenance.

3 “(III) For purposes of this clause, facility services
 4 and common area maintenance shall not include municipal
 5 services that the State or local government concerned is
 6 required by law to provide without direct charge to land-
 7 owners, or firefighting or security-guard functions.”.

8 (2) TRANSFERS IN CONNECTION WITH PAY-
 9 MENT OF ENVIRONMENTAL REMEDIATION.—Section
 10 2905(e) of that Act is amended—

11 (A) in paragraph (1)(B), by adding at the
 12 end the following new sentence: “The real prop-
 13 erty and facilities referred to in subparagraph
 14 (A) are also the real property and facilities lo-
 15 cated at an installation approved for closure or
 16 realignment under this part after 2001 that are
 17 available for purposes other than to assist the
 18 homeless.”;

19 (B) in paragraph (2)(A), by striking “to be
 20 paid by the recipient of the property or facili-
 21 ties” and inserting “otherwise to be paid by the
 22 Secretary with respect to the property or facili-
 23 ties”;

24 (C) by striking paragraph (6);

1 (D) by redesignating paragraphs (3), (4),
 2 and (5) as paragraphs (4), (5), and (6), respec-
 3 tively; and

4 (E) by inserting after paragraph (2) the
 5 following new paragraph (3):

6 “(3) In the case of property or facilities covered by
 7 a certification under paragraph (2)(A), the Secretary may
 8 pay the recipient of such property or facilities an amount
 9 equal to the lesser of—

10 “(A) the amount by which the costs incurred by
 11 the recipient of such property or facilities for all en-
 12 vironmental restoration, waste, management, and
 13 environmental compliance activities with respect to
 14 such property or facilities exceed the fair market
 15 value of such property or facilities as specified in
 16 such certification; or

17 “(B) the amount by which the costs (as deter-
 18 mined by the Secretary) that would otherwise have
 19 been incurred by the Secretary for such restoration,
 20 management, and activities with respect to such
 21 property or facilities exceed the fair market value of
 22 such property or facilities as so specified.”.

23 (3) SCOPE OF INDEMNIFICATION OF TRANS-
 24 FEREES IN CONNECTION WITH PAYMENT OF ENVI-
 25 RONMENTAL REMEDIATION.—Paragraph (6) of sec-

1 tion 2905(e) of that Act, as redesignated by para-
 2 graph (1) of this subsection, is further amended by
 3 inserting before the period the following: “, except in
 4 the case of releases or threatened releases not dis-
 5 closed pursuant to paragraph (4)”.

6 **SEC. 2904. TECHNICAL AND CLARIFYING AMENDMENTS.**

7 (a) COMMENCEMENT OF PERIOD FOR NOTICE OF IN-
 8 TEREST IN PROPERTY FOR HOMELESS.—Section
 9 2905(b)(7)(D)(ii)(I) of the Defense Base Closure and Re-
 10 alignment Act of 1990 (part A of title XXIX of Public
 11 Law 101–510; 10 U.S.C. 2867 note) is amended by strik-
 12 ing “that date” and inserting “the date of publication of
 13 such determination in a newspaper of general circulation
 14 in the communities in the vicinity of the installation under
 15 subparagraph (B)(i)(IV)”.

16 (b) OTHER CLARIFYING AMENDMENTS.—(1) That
 17 Act is further amended by inserting “or realignment”
 18 after “closure” each place it appears in the following pro-
 19 visions:

20 (A) Section 2905(b)(3).

21 (B) Section 2905(b)(5).

22 (C) Section 2905(b)(7)(B)(iv).

23 (D) Section 2905(b)(7)(N).

24 (E) Section 2910(10)(B).

1 (2) That Act is further amended by inserting “or re-
 2 aligned” after “closed” each place it appears in the fol-
 3 lowing provisions:

4 (A) Section 2905(b)(3)(C)(ii).

5 (B) Section 2905(b)(3)(D).

6 (C) Section 2905(b)(3)(E).

7 (D) Section 2905(b)(4)(A).

8 (E) Section 2905(b)(5)(A).

9 (F) Section 2910(9).

10 (G) Section 2910(10).

11 (3) Section 2905(e)(1)(B) of that Act is amended by
 12 inserting “, or realigned or to be realigned,” after “closed
 13 or to be closed”.

14 **Subtitle B—Modification of 1988** 15 **Base Closure Law**

16 **SEC. 2911. PAYMENT FOR CERTAIN SERVICES PROVIDED BY** 17 **REDEVELOPMENT AUTHORITIES FOR PROP-** 18 **ERTY LEASED BACK BY THE UNITED STATES.**

19 Section 204(b)(4) of the Defense Authorization
 20 Amendments and Base Closure and Realignment Act of
 21 (Public Law 100–526; 10 U.S.C. 2687 note) is amended
 22 by adding at the end the following new subparagraph (J):
 23 “(J)(i) The Secretary may transfer real property at
 24 an installation approved for closure or realignment under
 25 this title (including property at an installation approved

1 for realignment which will be retained by the Department
2 of Defense or another Federal agency after realignment)
3 to the redevelopment authority for the installation if the
4 redevelopment authority agrees to lease, directly upon
5 transfer, one or more portions of the property transferred
6 under this subparagraph to the Secretary or to the head
7 of another department or agency of the Federal Govern-
8 ment. Subparagraph (B) shall apply to a transfer under
9 this subparagraph.

10 “(ii) A lease under clause (i) shall be for a term of
11 not to exceed 50 years, but may provide for options for
12 renewal or extension of the term by the department or
13 agency concerned.

14 “(iii) Except as provided in clause (v), a lease under
15 clause (i) may not require rental payments by the United
16 States.

17 “(iv) A lease under clause (i) shall include a provision
18 specifying that if the department or agency concerned
19 ceases requiring the use of the leased property before the
20 expiration of the term of the lease, the remainder of the
21 lease term may be satisfied by the same or another depart-
22 ment or agency of the Federal Government using the prop-
23 erty for a use similar to the use under the lease. Exercise
24 of the authority provided by this clause shall be made in
25 consultation with the redevelopment authority concerned.

1 “(v)(I) Notwithstanding clause (iii), a lease under
2 clause (i) may require the United States to pay the rede-
3 velopment authority concerned, or the assignee of the re-
4 development authority, for facility services and common
5 area maintenance provided for the leased property by the
6 redevelopment authority or assignee, as the case may be.

7 “(II) The rate charged the United States for services
8 and maintenance provided by a redevelopment authority
9 or assignee under subclause (I) may not exceed the rate
10 charged non-Federal tenants leasing property at the in-
11 stallation for such services and maintenance.

12 “(III) For purposes of this clause, facility services
13 and common area maintenance shall not include municipal
14 services that the State or local government concerned is
15 required by law to provide without direct charge to land-
16 owners, or firefighting or security-guard functions.”.

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107TH CONGRESS
1ST SESSION

S. 1418

A BILL

To authorize appropriations for fiscal year 2002 for
military construction, and for other purposes.

SEPTEMBER 12, 2001

Read twice and placed on the calendar